



SUDAN COUNTRY REPORT

April 2005

Country Information & Policy Unit

**IMMIGRATION AND NATIONALITY DIRECTORATE
HOME OFFICE, UNITED KINGDOM**

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1. SCOPE OF DOCUMENT

1.1 This Country Report has been produced by Immigration and Nationality Directorate, Home Office, for use by officials involved in the asylum / human rights determination process. The Report provides general background information about the issues most commonly raised in asylum / human rights claims made in the United Kingdom. It includes information available up to 1 March 2005.

1.2 The Country Report is compiled wholly from material produced by a wide range of recognised external information sources and does not contain any Home Office opinion or policy. All information in the Report is attributed, throughout the text, to the original source material, which is made available to those working in the asylum / human rights determination process.

1.3 The Report aims to provide a brief summary of the source material identified, focusing on the main issues raised in asylum and human rights applications. It is not intended to be a detailed or comprehensive survey. For a more detailed account, the relevant source documents should be examined directly.

1.4 The structure and format of the Country Report reflects the way it is used by Home Office caseworkers and appeals presenting officers, who require quick electronic access to information on specific issues and use the contents page to go directly to the subject required. Key issues are usually covered in some depth within a dedicated section, but may also be referred to briefly in several other sections. Some repetition is therefore inherent in the structure of the Report.

1.5 The information included in this Country Report is limited to that which can be identified from source documents. While every effort is made to cover all relevant aspects of a particular topic, it is not always possible to obtain the information concerned. For this reason, it is important to note that information included in the Report should not be taken to imply anything beyond what is actually stated. For example, if it is stated that a particular law has been passed, this should not be taken to imply that it has been effectively implemented; rather that information regarding implementation has not been found.

1.6 As noted above, the Country Report is a collation of material produced by a number of reliable information sources. In compiling the Report, no attempt has been made to resolve discrepancies between information provided in different source documents. For example, different source documents often contain different versions of names and spellings of individuals, places and political parties etc. Country Reports do not aim to bring consistency of spelling, but to reflect faithfully the spellings used in the original source documents. Similarly, figures given in different source documents sometimes vary and these are simply quoted as per the original text.

1.7 The Country Report is based substantially upon source documents issued during the previous two years. However, some older source documents may have been included because they contain relevant information not available in more recent documents. All sources contain information considered relevant at the time this Report was issued.

1.8 This Country Report and the accompanying source material are public documents. All Country Reports are published on the IND section of the Home Office website and the great majority of the source material for the Report is readily available in the public domain. Where the source documents identified in the Report are available in electronic form, the relevant web link has been included, together with the date that the link was accessed. Copies of less accessible source documents, such as those provided by government offices or subscription services, are available from the Home Office upon request.

1.9 Country Reports are published every six months on the top 20 asylum producing countries and on those countries for which there is deemed to be a specific operational need. Inevitably, information contained in Country Reports is sometimes overtaken by events that occur between publication dates. Home Office officials are informed of any significant changes in country conditions by means of Country Information Bulletins, which are also published on the IND website. They also have constant access to an information request service for specific enquiries.

1.10 In producing this Country Report, the Home Office has sought to provide an accurate, balanced summary of the available source material. Any comments regarding this Report or suggestions for additional source material are very welcome and should be submitted to the Home Office as below.

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Advisory Panel on Country Information

1.11 The independent Advisory Panel on Country Information was established under the Nationality, Immigration and Asylum Act 2002 to make recommendations to the Home Secretary about the content of the Home Office's country information material. The Advisory Panel welcomes all feedback on the Home Office's Country Reports and other country information material. Information about the Panel's work can be found on its website at www.apci.org.uk.

1.12 It is not the function of the Advisory Panel to endorse any Home Office material or procedures. In the course of its work, the Advisory Panel directly reviews the content of selected individual Home Office Country Reports, but neither the fact that such a review has been undertaken, nor any comments made, should be taken to imply endorsement of the material. Some of the material examined by the Panel relates to countries designated or proposed for designation for the Non-Suspensive Appeals (NSA) list. In such cases, the Panel's work should not be taken to imply any endorsement of the decision or proposal to designate a particular country for NSA, nor of the NSA process itself.

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2. Geography

2.1 Europa Regional Surveys of the World: Africa South of the Sahara 2005 (Europa 2005) stated that the Republic of the Sudan has a total area of 2,505,813 sq km (967,500 sq miles). [1] (p1087, 1107) A United Nations May 2004 map recorded that Sudan is bordered by Egypt to the north; the Red Sea, Eritrea and Ethiopia to the east; Kenya, Uganda and the Democratic Republic of Congo to the south, and the Central African Republic, Chad and Libya to the west. [2]

2.2 Europa 2005 recorded that, according to a mid-2003 UN estimate, the population of the capital, Khartoum was approximately 4,285,542. [1] (p1107) A more recent estimate reproduced in a European Institute for Research on Mediterranean and Euro Arab-Cooperation (MEDEA) May 2004 Report stated that Khartoum had a population of six to seven million people. [5a] (p1) Encyclopaedia Britannica (EB) 2004 recorded that "It [Khartoum] has bridge connections with its sister towns, Khartoum North [700,887*] and Omurdurman [1,271,403*], with which it forms The Sudan's largest conurbation." [6d] (p1) Europa 2005 recorded that other major cities include Port Sudan [308,195*], Kassala [234,622*], Nyala [227,183*] and Juba [114,980*]. [1] (p1107)

*Population at 1993 census, according to Europa Regional Surveys of the World: Africa South of the Sahara 2004. [1] (p1107)

2.3 Europa 2005 recorded that "According to UN estimates, the population was 33,610,000 at mid-2003." [1] (p1087) The United States' Department of State Country Reports on Human Rights Practices - 2004: Sudan (USSD 2004), published 28 February 2005, reported that "Northern Muslims, who formed a majority of approximately 16 million persons, traditionally dominated the Government. The southern ethnic groups fighting the civil war (largely followers of traditional indigenous religions or Christians) numbered approximately 6 million." [3g] (Section 5) The Library of Congress' (LoC) December 2004 Country Profile recorded that "In rough percentages, Sudan's population is composed of 50 percent black Africans, 40 percent Arabs, 6 percent Beja, and 3-4 percent other." [35b] (p5)

2.4 MEDEA's May 2004 Report stated that the northern Sudanese people consist of the Arabs, Nubians, Beja, tribes from the Nuba Mountains and some arabised groups that, in total, represent about 70% of the entire population. [5a] (p1) The southern Sudanese people include several ethnic groups, of which the most important are the Dinkas, the Nuers and the Shilluks who collectively represent approximately 28% of the total population. [5a] (p1) USSD 2004 stated that "In the southern war zone, the SPLM/A [Sudan People's Liberation Movement/Army] controlled large areas of the states of Equatoria, Bahr el Ghazal, and Upper Nile and also operated in the southern portions of the states of Darfur, Kordofan, and Blue Nile. The Government controlled a number of the major southern towns and cities, including Juba, Wau, and Malakal." [3g] (Section 1g) A January 2005 British Broadcasting Corporation (BBC) report recorded that the town of Rumbek [in Al-Buhayrat (Lakes) State] had been chosen by the former rebel group, the SPLM/A, as the administrative capital of south Sudan. [14ac]

2.5 Ethnologue 2004 recorded that "The number of languages listed for Sudan is 142. Of those, 134 are living languages and 8 are extinct." [34] (p1) LoC's profile of December 2004 recorded that "Sudan is home to a large number of languages. One authoritative source lists 134 spoken languages, with other estimates running up to 400, including numerous dialects. [35b] (p5) According to EB 2004:

"Arabic is the primary language of one-half of the population, with Dinka that of about one tenth. Arabic is the official national language and is the most common medium for the conduct of government, commerce, and urban life throughout the country. English has been acknowledged as the principal language in the south since 1972." [6b] (p6)

LoC's profile also stated that "English is widely spoken as a second language in the North and to a lesser extent in the South." [35b] (p5)

For further information on geography, refer to Europa Regional Surveys of the World: Africa South of the Sahara 2005, source [1].

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3. Economy

3.1 Europa Regional Surveys of the World: Africa South of the Sahara 2005 (Europa 2005) recorded that "Sudan is primarily an agricultural and pastoral country, with about 59% of the economically active population engaged in the agricultural sector- the majority in essentially subsistence production." [1] (p1101) According to Europa 2005, at 39.2 percent, agriculture remained the largest single component of Sudan's Gross Domestic Product (GDP) in 2002. [1] (p1101) Europa 2005 also recorded that "In 2003 domestic petroleum consumption was about 70,000 b/d [barrels per day] which left approximately 200,000 b/d for export." [1] (p1104)

3.2 Europa 2005 stated that "On 1 March 1999 the Sudanese pound was replaced by the Sudanese dinar, [which was] equivalent to 10 Sudanese pounds....The pound was withdrawn from circulation on 31 July 1999" [1] (p1101) The European Institute for Research on Mediterranean and Euro Arab-Cooperation (MEDEA) May 2004 Report stated that one Sudanese Dinar is equal to one hundred Piastres. [5a] (p1) According to the Economist Intelligence Unit's Country Profile - Sudan 2004:

"Inflation eroded real wages and living standards throughout the 1990s....There have been periodic attempts to rectify this, with large public-sector pay increases announced in the 1999 and 2003 budgets. Overall, however, average real pay levels remain low, adding to the importance of other sources of income, such as private transfers from family members abroad, or earnings from work in the parallel economy." [64] (p44)

3.3 According to the website XE.com, the exchange rate as at 28 February 2005 was GB£1 = 482.271 Sudanese Dinars and US\$1 = 250.925 Sudanese Dinars. [30a] [30b] A British Broadcasting Corporation (BBC) news report of 1 December 2004 recorded that "Sudan is to introduce a new currency under efforts to restore unity to the conflict-ridden country, according to a finance ministry official." [14am] And that "Details of the new currency will be decided after the peace deal is signed." [14am]

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4. History

The al-Bashir Regime

4.1 Europa Regional Surveys of the World: Africa South of the Sahara 2005 (Europa 2005) recorded that "On 30 June 1989 a bloodless coup d'etat, led by Brig. (later Lt-Gen.) Omar Hassan Ahmad al-Bashir, removed [Sadiq] al-Mahdi's Government and formed a 15-member Revolutionary Command Council for National Salvation (RCC), which declared its primary aim to be the resolution of the southern conflict." [1] (p1090) Europa 2005 reported that "Al-Bashir rapidly dismantled the civilian ruling apparatus; the Constitution, National Assembly and all political parties and trade unions were abolished, a state of emergency was declared, and civilian newspapers were closed." [1] (p1090) Europa 2005 stated that "The first legislative and presidential elections to be held in Sudan since 1989 took place during 6-17 March 1996." [1]

(p1092) As a result, President al-Bashir was elected for a five-year term that formally commenced on 1 April 1996. [1] (p1092)

For further information on history prior to June 1989, refer to Europa Regional Surveys of the World: Africa South of the Sahara 2005, source [1].

4.2 Europa 2005 also recorded that, "By 2000 it was apparent that al-Bashir remained in firm control of the Government. In December 1999 he declared a three-month state of emergency and suspended the National Assembly." [1] (p1093) Europa stated that, during the first three months in 2000, al-Bashir formed a new government, replaced twenty-five of the twenty-six state governors and extended the state of emergency from three to twelve months. [1] (p1093) In mid-December 2000, President al-Bashir was re-elected and the National Congress secured 355 of the 360 seats in the new National Assembly during presidential and legislative elections. [1] (p1094) Europa 2005 recorded that a team of observers from the Organization of African Unity (OAU) indicated that the elections had been 'an important step towards democratisation' despite the fact that the main opposition political parties had boycotted the process and questioned the official turn-out figures. [1] (p1094) The Inter-Parliamentary Union (IPU) recorded that "Voting did not take place in 3 of the 26 states of the country, all of them in the south, which is under the control of rebels after two decades of civil war." [57b] (p3)

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The North-South Peace Talks: July 2002 - August 2004

4.3 Europa 2005 stated that the Sudanese Government and the Sudan People's Liberation Movement/Army (SPLM/A) signed the Machakos Protocol on 20 July 2002. [1] (p1095) This provided a framework for a comprehensive agreement intended to eventually end the civil war and conclusively define the political and constitutional status of southern Sudan. [1] (p1095) Europa 2005 also recorded that a ceasefire, which covered the whole of Sudan, was agreed between the Government and the SPLA on 17 October 2002. [1] (p1095)

4.4 The United Nations' (UN) Integrated Regional Information Networks' (IRIN) Chronology of key events [1955 - April 2004] recorded that talks between the Government and the SPLM/A continued throughout 2003 with agreement reached on increased humanitarian access, security issues, and power and oil revenue sharing. [15aj] (p3) The Chronology also recorded that the National Democratic Alliance had also negotiated with the Government during 2003, signing the Jiddah Accord on power sharing in December 2003. [15aj] (p3) IRIN's Chronology of key events in 2004 recorded that clashes continued to occur in 2004, particularly in western Upper Nile, but the Government and SPLM/A negotiating teams continued to make progress by signing key protocols on wealth sharing, power sharing and the status of the disputed areas of Abyei, the Nuba Mountains and southern Blue Nile. [15ak] (p1-2)

See also Section 4: [September 2004 - February 2005](#);
Section 6A: [The North-South Conflict, The North-South Peace Talks, Freedom of Assembly and Association/Members and Supporters of Opposition Armed Groups - Central and South Sudan](#); Section 6B: [Ethnic Groups/Nilotes - Dinka, Nuer and](#)

Shilluk;

Annex B: Sudan People's Liberation Movement/Army; Annex C: Black Ethnic Groups (central and southern Sudan)

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The Darfur Conflict: February 2003 - August 2004

4.5 Europa 2005 recorded that "In February 2003 two rebel groups, the Sudanese Liberation Movement (SLM), which reportedly comprised as many as 2,500 armed troops, and the SJEM [Sudanese Justice and Equality Movement], a force estimated to number several hundred men, organized a rebellion against the Government in an attempt to end political oppression and economic neglect in the Darfur region of western Sudan." [1] (p1096)

4.6 Amnesty International (AI) stated, in it's February 2004 report 'Darfur: Too Many People Killed For No Reason', that "In September 2003, the Chadian government, neighbour to Sudan and recipient of a huge number of Sudanese refugees from Darfur, announced that they brokered a ceasefire agreement between the SLA and the Sudanese government." [11h] (p7) Despite an exchange of prisoners between the SLA and the Sudanese government and the extension of the ceasefire until December 2003, AI reported that "In December [2003], the talks between the Sudan government and the SLA in N'Djamena, Chad, broke down." [11h] (p7) The Darfur conflict, which was described in an April 2004 press briefing by the United Nations Under-Secretary-General for Humanitarian Affairs and Emergency Relief Co-ordinator, Jan Egeland, as 'ethnic cleansing', continued throughout 2004, despite the passing of a UN Security Council resolution on 30 July 2004, the arrival of African Union (AU) monitors and continued attempts at mediation. [2h] (p1) [2i] [15ak]

See also Section 4: September 2004 - February 2005;

Section 6A: The Darfur Conflict, The Darfur Peace Talks and Freedom of Assembly and Association/Members and Supporters of Opposition Armed Groups - Darfur;

Section 6B: Ethnic Groups/Darfur;

Annex B: Justice and Equality Movement, National Movement for Restoration/Reform and Development and Sudan Liberation Movement/Army; Annex C: Black Ethnic Groups - Darfur

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Alleged Coup Attempts: March 2004 & September 2004

4.7 The British Broadcasting Corporation's (BBC) Timeline: Sudan recorded that, in March 2004, "Army officers and opposition politicians, including Islamist leader Hassan al-Turabi, [were] arrested over [an] alleged coup plot." [14g] (p4) The Timeline also recorded that the "Government says [in September 2004] it has foiled [a] coup plot by supporters of Islamist leader Hassan al-Turabi. [14g] (p4) IRIN's Chronology of 2004 recorded that, on 9 September 2004, "The government arrest[ed] 14 members of the Islamist opposition Popular Congress Party [PC] as security [was] tightened around the capital, Khartoum. The Interior Ministry, in a statement broadcast on Radio Omdurman, accuse[d] those arrested of attempting to sabotage the peace."

4.8 The 2004 Chronology also recorded that security measures such as roadblocks, vehicle and house searches, and intensified surveillance were put in place in September 2004 after the Government accused the PC party of plotting to overthrow President al-Bashir's administration. [15ak] (p4) Following the alleged coup attempt by the Popular National Congress (PNC), both IRIN and the Sudan Human Rights Organisation's Cairo branch (SHRO-Cairo) in late September 2004 described the repressive security measures in place in the capital at that time. [15n] [61i] SHRO-Cairo stressed the Organisation's concern at the security measures in Khartoum and stated that "The Organisation is also concerned for the 'bad faith nature' of these measures that suggest massive political suppression rather than lawful police work." [61i] (p2)

See also Section 6A: Freedom of Assembly and Association/Political Activists and Members and Supporters of the Popular National Congress;
Annex B: Popular National Congress

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Events of September 2004 - February 2005

4.9 Despite progress in the north-south peace process, a final agreement continued to elude the two parties during the last months of 2004 and tensions reportedly increased in Upper Nile region due to a build-up of armed militias, government troops and southern-based SPLA fighters. [15ak] (p3-5) The BBC's Timeline recorded that a UN envoy stated in September 2004 that the Government had not met its targets for disarming pro-government militias in Darfur, whilst the United States' (US) Secretary of State described the situation in Darfur as genocide. [14g] (p4) IRIN's 2004 Chronology recorded that, in October 2004, the UN Secretary-General set up a commission of inquiry to investigate and determine whether genocide had been committed in Darfur and the AU agreed to boost the number of peacekeepers in Darfur, and to send in a civilian police force. [15ak] (p4)

4.10 IRIN's 2004 Chronology reported that, in November 2004, the Sudanese government had agreed to end military flights over Darfur and that there were a series of breakthrough agreements in the Nigerian city, Abuja that touched on security and humanitarian issues. [15ak] (p4) On the same day this agreement was reached, Sudanese security forces entered the Al Geir IDP camp in South Darfur for the second time in a week and, according to Amnesty International, police fired tear gas during the attack, assaulted residents and bulldozed shelters in the camp, ignoring the protests of representatives of the UN, the AU and international aid agencies who were present during the attack. [15ak] (p4) IRIN recorded that the continuing violence in Darfur, as 2004 drew to a close, was derailing efforts to find a political roadmap out of the Darfur crisis, according to delegates at AU-sponsored talks in the Nigerian capital, Abuja. [15ak] (p4) [15am] [15at] [15aw]

See also Section 4: The Darfur Conflict: February 2003 - August 2004;
Section 6A: The Darfur Conflict, The Darfur Peace Talks and Freedom of Assembly and Association/Members and Supporters of Opposition Armed Groups - Darfur;

Section 6B: Ethnic Groups/Darfur;
Annex B: Justice and Equality Movement, National Movement for
Restoration/Reform and Development and Sudan Liberation Movement/Army; Annex
C: Black Ethnic Groups - Darfur

The Signing of the Comprehensive Peace Agreement (CPA)

4.11 The BBC's Timeline recorded that, in "January [2005] - Government and southern rebels sign[ed a] peace deal to end their long running conflict." [14g] (p4) IRIN also reported in January 2005, that:

"Sunday's [9 January 2005] agreement requires the Sudanese government to withdraw at least 91,000 troops from the rebel-controlled south within two and a half years, while the rebels have eight months to withdraw their forces from northern Sudan. Under the accord, Sudan will rewrite its constitution to ensure that Islamic law, or Sharia, is not applied to non-Muslims anywhere in the country. The newly signed agreement further details protocols on sharing legislative power and natural resources, changing the armed forces during a six-year transition period and methods to administer the three disputed areas in central Sudan."
[15a]

4.12 The text of the 9 January 2005 agreement, reproduced on Reliefweb, stated that the six-month pre-interim period commenced from the date of the CPA's signing. [75] (p1) The report also recorded that "The parties [the Government of Sudan and the SPLM/A] recognize the enormity of the tasks that lie ahead in successfully implementing the Comprehensive Peace Agreement and in signing below and before the witnesses here present, they reconfirm their commitment to implement the Comprehensive Peace Agreement fully and jointly." [75] (p2) IRIN reported in January 2005 that "However, observers said, the peace agreement does not provide for a truth commission, prosecution, or other forms of accountability for past abuses in the southern conflict. 'The peace agreement is an important step, but lasting peace in Sudan will require genuine security for civilians and justice for the atrocities committed both in Darfur and southern Sudan,' said Peter Takirambudde, executive director of Human Rights Watch's Africa division." [15a]

See also Section 4: The North-South Peace Talks: July 2002 - August 2004;
Section 6A: The North-South Conflict, The North-South Peace Talks & The
Comprehensive Peace Agreement and Freedom of Assembly and
Association/Members and Supporters of Opposition Armed Groups - Central and
South Sudan; Section 6B: Ethnic Groups/Nilotes - Dinka, Nuer and Shilluk;
Annex B: Sudan People's Liberation Movement/Army; Annex C: Black Ethnic Groups
(central and southern Sudan)

4.13 The BBC reported, on 17 January 2005, that "The Sudan government has signed a preliminary peace agreement with the main opposition umbrella group, the National Democratic Alliance (NDA)." [14ad] (p1) IRIN also reported on the agreement and stated that "Sunday's reconciliation agreement will lead to the disarmament of the NDA's armed militias and bring Sudan a step closer to a nation-wide peace. Ethnic Beja rebels from the eastern Sudan, however, boycotted the Cairo talks." [15ag]

(p2) Agence France Presse reported in February 2005, that the Beja Congress and the Free Lions, also a member of the NDA, had merged to become the Eastern Front. [13]

See also Section 6A: Freedom of Assembly and Association/Members and Supporters of Armed Opposition Groups - East Sudan; Section 6B: Ethnic Groups/Beja;

Annex B: Beja Congress and National Democratic Alliance; Annex C: Non-Arab Ethnic Groups Collectively known as the Beja

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5. STATE STRUCTURES

The Constitution

5.1 According to Europa Regional Surveys of the World: Africa South of the Sahara 2005 (Europa 2005), after the 1989 coup that brought the present regime to power the civilian ruling apparatus, including the constitution, was dismantled. [1] (p1090) Europa 2005 recorded that "In October 1997 a 277-member constitutional committee was formed to draft a new constitution." [1] (p1093) Europa 2005 stated that the National Assembly approved the document in April 1998. [1] (p1093) Europa 2005 also stated that almost ninety-seven percent of voters voted in favour of the new constitution, which came into force on 1 July 1998, in a May 1998 referendum. [1] (p1093)

5.2 Europa 2005 recorded that "Under its [the constitution's] terms, executive power was vested in the Council of Ministers, which was appointed by the President but responsible to the National Assembly. Legislative power was vested in the National Assembly." [1] (p1093) Article 65 of the 1998 Constitution of the Republic of Sudan sets out the sources of Sudanese law, "The Islamic Sharia and the national consent through voting, the Constitution and custom are the source of law and no law shall be enacted contrary to these sources, or without taking into account the nation's public opinion, the efforts of the nation's scientists, intellectuals and leaders." [4] (p12)

5.3 The Constitution provided for basic human rights such as the right to life and equality, freedom of association, right to privacy, immunity against arbitrary arrest and detention, freedom of expression and the press, freedom of religion and freedom of movement. [4] Europa 2005 recorded that, in December 1999, President al-Bashir declared a three-month State of Emergency and suspended the National Assembly. [1] (p1093) According to an Amnesty International Irish Section Urgent Action the State of Emergency remained in effect as of 28 February 2005. [11an]

See also Section 6: Human Rights for details on the treatment of individuals, specific groups and the restriction of fundamental freedoms in relation to the Constitution.

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Citizenship and Nationality

5.4 According to a Foreign and Commonwealth Office (FCO) letter dated 24 October 2001 containing information provided by El Karib & Medani, the FCO's advocates "The conditions and qualifications for the grant of nationality in Sudan is governed and regulated by the provisions of the Sudanese Nationality Act, enacted in 1993." [25b] (p1) The US Office of Personnel Management's (US OPM) March 2001 document entitled Citizenship Laws of the World recorded that "Citizenship is based upon the Law of Sudanese Nationality #22, dated 1957, Law #55, dated 1970, and Law #47, dated 1972." [36] (p186)

5.5 The FCO's letter of October 2001 and the US OPM's March 2001 document agreed that Sudanese nationality or citizenship is passed down paternally by descent if the child's father is Sudanese at the time of his or her birth. [25b] (p1) [36] (p186) Both the FCO's letter and the OPM qualified this by stating that this applied regardless of whether the father was a Sudanese citizen by descent or naturalisation and regardless of the child's country of birth. [25b] (p1) [36] (p186) However, the US State Department Report 2003 (USSD 2003), published on 25 February 2004 stated that "During the year [2003], the law was changed to allow [Sudanese] citizen women who were married to foreigners to pass their citizenship to their children if they so chose. In the past, the children were automatically deemed to have the citizenship of their father." [3a] (Section 5)

5.6 The FCO's letter of 2001 provided a detailed list of the conditions under which a person is considered Sudanese by descent. [25b] (p1) The US OPM March 2001 document concurred with the above and stated the following in respect of the eligibility of those born in Sudan:

- "Person born on or before January 1, 1957:
 - Child born in the territory of Sudan whose parents had established residency in Sudan [is entitled to Sudanese citizenship].
- Person born after January 1, 1957:
 - Birth in the territory of Sudan does not automatically confer citizenship. The exception is a child born to unknown parents." [36] (p186)

5.7 According to the FCO's letter of October 2001:

"The Minister of Interior may grant a certificate of naturalization as a Sudanese to an alien who is defined in the law as: a person who is not Sudanese, upon satisfaction to the requirement that he: is of a full age and capacity, he has been domiciled in the Sudan for a period of five years or more, he is of good character, and has not previously been convicted of a criminal offence involving moral turpitude." [25b] (p1)

5.8 The OPM's March 2001 document largely agreed with the above stating that "Sudanese citizenship may be acquired upon fulfillment of the following conditions: Person is a legal adult, has resided in Sudan for 10 years, knows the Arabic language, is of good morality, has committed no crimes, desires to remain in the country, renounces previous citizenship, is in good health, and declares loyalty to the

country." [36] (p186)

5.9 The October 2001 FCO letter and OPM's document of March 2001 also concurred over the status of non-Sudanese women who marry Sudanese nationals. [25b] (p1-2) [36] (p186) The former stated that:

- "The Minister also have (sic) the authority to grant a certificate of naturalization to an alien woman if she proved that:
- She is a wife of a Sudanese man in accordance with the provision of Sudanese law, and
 - She has resides (sic) with her Sudanese husband in the Sudan for a continuos (sic) period of not less than two years from the date of such an application." [25b] (p1-2)

The OPM document also stated that a foreign woman must renounce her former citizenship. [36] (p186)

5.10 The FCO's letter of October 2001 stated that "As to the case of immigrants they will be subject to the same rules applied to aliens, but refugees are not allowed to apply for a certificate of naturalization for this will conflict with the laws and the International Agreements regulating the existence of refugees in Sudan." [25b] (p2) The FCO's letter of October 2001 also provided a detailed list of the circumstances under which an immigrant might have his or her naturalisation revoked. [25b] (p2)

5.11 The OPM document of March 2001 also stated that "Voluntary renunciation of Sudanese citizenship is permitted by law." [36] (p186) Also that Sudanese citizens could involuntarily lose their citizenship if one or more of the following applied:

- Person obtains new citizenship.
 - Naturalized citizenship obtained through fraud or falsity.
 - Naturalized citizen lives abroad more than 5 years, without registering.
- [36] (p186)

5.12 A letter from the FCO dated 28 February 2005 confirmed that there had been no change to the law(s) governing nationality or citizenship since 2001. [25c] (p1)

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Political System

5.13 According to the United States' Department of State Country Reports on Human Rights Practices - 2004: Sudan (USSD 2004), published 28 February 2005, "Sudan has an authoritarian government in which all effective political power lies in the hands of President Omar Hassan al-Bashir and the National Congress (NC) Party inner circle, who have been in power since a 1989 military coup instigated and supported by the fundamentalist Islamic Front (NIF)." [3g] (p1) Europa Regional Surveys of the World: Africa South of the Sahara 2005 (Europa 2005) recorded that the current ruling party, the National Congress (NC), is the successor to the NIF. [1] (p1113) USSD 2004 reported that "[In 2004] NC/NIF members and supporters continued to hold key positions in the Government, security forces, judiciary,

academic institutions, trade unions, professional associations, and the media." [3g] (p1)

5.14 Europa 2005 recorded that "In early February 1994, by constitutional decree, Sudan was redivided into 26 states instead of the previous nine. The executive and legislative powers of each state government were to be expanded and southern states were expected to be exempted from Shari'a law." [1] (p1091, 1107) The European Institute for Research on Mediterranean and Euro-Arab Cooperation (MEDEA) recorded in May 2004 that:

"Sudan is a republic with a federal system of government. There are multiple levels of administration: 26 states (Wilayaat) subdivided into approximately 120 localities (Mahaliyaat). The executives, cabinets and senior level state officials are appointed by the President of the Republic. Although legislation grants considerable powers to the federated states, their limited budgets are determined by and dispensed from the central government, resulting in complete economic dependency. In the areas under its control, the SPLM/A does not recognize the Government's administrative division into States and has introduced its own administrative structure, based on Regions, Counties, Localities (payams) and Villages (bomas)." [5a] (p5)

5.15 The Inter-Parliamentary Union (IPU) stated that Sudan's legislature was the unicameral National Assembly (Majlis Watani). [57b] (p1) The IPU recorded that members of the National Assembly serve terms of four years. [57b] (p1) The IPU stated that there were 360 members of the National Assembly; "- 270 deputies [are] elected in the constituencies + 35 representatives of the women + 26 representatives of the university graduates +- 29 representatives of the trade unions." [57b] (p2)

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Political Parties

5.16 An International Crisis Group (ICG) report of 11 December 2003, 'Towards an Incomplete Peace', stated that "Bending under internal and external pressures for reform, the government in 1999 enforced the Law on the Regulation of Tawali (succession of political parties in power) that required adherence to its 'national salvation' ideology as a condition for political associations and parties to receive official recognition." [63a] (p14) The report recorded that "The Political Parties and Organisations Law that replaced the Tawali law in 2000 permits parties that refused to register under the earlier legislation to function by simply notifying authorities of their existence. However, to contest elections, parties operating under the notification regime must observe the Tawali conditions." [63a] (p14)

5.17 According to USSD 2004 " There were 20 officially registered political parties; however, the law includes restrictions that effectively prohibit traditional political parties if they were linked to armed opposition to the Government. The Political Parties Act allows some formerly banned political parties to resume their activities; however, the parties were required to notify the registrar in writing to participate in elections. Observers believed that the Government controlled professional associations." [3g] (Section 2b) Additionally, Freedom House's (FH) 2004 report 'The

World's Most Repressive Societies' stated that the "Emergency law severely restricts freedom of assembly and association." [54b] (p63)

See also Section 6A: Freedom of Assembly and Association;
Annex B: Main Political Organisations

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Judiciary

5.18 Article 101 of the Constitution states that "Judges are independent in the performance of their duties and have full judicial authority in their jurisdiction. They may not be influenced in their functioning directly or indirectly." [4] (p20)

5.19 The US State Department's Human Rights Report for 2004 (USSD 2004), published on 28 February 2005, stated that "The judiciary was not independent and was subject to outside influence from the executive and security forces." [3g] (p1) USSD 2004 also stated that "On occasion, courts displayed a degree of independence. For example, appeals courts overturned several decisions of lower courts in political cases, particularly decisions from public order courts. However, political interference with the courts regularly occurred." [3g] (Section 1e)

5.20 Amnesty International (AI), in a report dated December 2004, stated that "Unfair trials are the norm in Sudan. Political trials and trials under Specialised Criminal Courts in Darfur are inherently unfair, but often even trials under ordinary courts fail to respect international standards of fairness. In some cases, the judiciary appears to have overturned sentences or dismissed charges against the accused for lack of evidence; however, doubts remain as to the guilt of many persons convicted in unfair trials." [11u] (p34)

See also Section 5: Judiciary/North, South and West Darfur

5.21 Whilst USSD 2004 reported that:

"Trials in regular courts nominally met international standards of legal protections. The accused normally have the right to an attorney, and the courts are required to provide free legal counsel for indigent defendants accused of crimes punishable by death or life imprisonment; however, there were reports that defendants frequently did not receive legal counsel and that counsel in some cases could only advise the defendant and not address the court. There were reports that the Government sometimes denied defense counsel access to the courts." [3g] (Section 1e)

5.22 The USSD 2004 also recorded that "Lawyers who wished to practice were required to maintain membership in the government-controlled bar association. The Government continued to harass members of the legal profession who it viewed as political opponents; some were detained, including the Director of the Darfur Lawyers Association, Mohamed Adomo, who was later released." [3g] (Section 1e)

See also Section 6C: [Treatment of Non-Governmental Organisations](#)

5.23 AI, in its December 2004 report, registered its concern that the Popular Congress (PC/PNC) party members arrested in connection with the alleged March 2004 coup attempt had been tortured to extract confessions, which the defendants had later retracted. [11u] (p38) The report added that "Regarding the September arrests of Popular Congress members, defence lawyers were reportedly given a list of 94 persons, including military men, who would stand trial for suspected involvement in an alleged coup attempt." [11u] (p38)

See also Section 6A: [Freedom of Assembly and Association/Political Activists and Members and Supporters of the Popular National Congress](#);
Annex B: [Popular National Congress](#)

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Structure

5.24 According to UNHCR's July 2000 Paper "The appointment of members of the Constitutional Court is subject to the approval of the National Assembly, while the Supreme Council of the Judiciary recommends candidates for other judicial appointments." [2a] (p12) USSD 2004 stated that "A Judiciary Committee nominates and the President appoints the Chief Justice of the Supreme Court. As the senior judge in the judicial service, the Chief Justice also controlled the judiciary." [3g] (Section 1e) The same report stated that "The President appoints the Constitutional Court's seven members." [3g] (Section 1e)

5.25 An August 2001 Study presented to the United Nations Development Program (UNDP) stated that "The current Sudanese judicial system is the product of several diverse sources of influence." [2d] (p1) The Study pointed to the strong influence of Shari'a, as Sudan is a predominantly Islamic Arab society; the influence of civil law systems in other Arab states; the effect of Anglo-Saxon common law from the colonial period when Sudan was governed by Britain and the federal nature of the country, which has reportedly led to a degree of internal legal diversity. [2d] (p1)

5.26 According to USSD 2004 "The judicial system includes four types of courts: Regular courts; military courts; special courts; and tribal courts. Tribal courts were in place in rural areas to resolve disputes over land and water rights, and family matters." [3g] (Section 1e) The August 2001 UNDP Study stated that Sudan's courts of general jurisdiction had three levels: "The courts of first instance are either general ('amm) or summary (juz'i). The second level consists of appeal courts (isti'naf); the Supreme Court (al-mahkama al-'ulya) stands at the apex of the order." [2d] (p4)

5.27 USSD 2004 recorded that "Within the regular court system, there are civil and criminal courts, appeal courts, and the Supreme Court. Special Courts in Darfur operated during the year [2004] under the state of emergency to try crimes against the state." [3g] (Section 1e) The report also stated that "The Criminal Act governs criminal cases, and the Civil Transactions Act applies in most civil cases. Shari'a is applied in the North but not by courts in the South. There continued to be reports that non Muslims were prosecuted and convicted under Shari'a 'hudud' laws (see Section

1.c.). Public order cases were heard in criminal courts." [3g] (Section 1e)

5.28 According to the Sudan Organisation Against Torture's (SOAT) April 2004 Report on Reformatories in Sudan "There is an active juvenile (sic) court [in] Khartoum that has been established as a pilot project in 1999 in Khartoum North....Recently, there are two juveniles' courts in other states (Gadarif and Kosti)." [23d] (p1) SOAT's 2004 report stated that "The court applied the code of criminal procedure 1991 in general because the juvenile Welfare act 1983 did not provide special procedures for handling the cases under it." [23d] (p5) The report also recorded that "The administrative structure of the court is the same as the structure of ordinary courts in the Sudan." [23d] (p5)

5.29 SOAT's 2004 report recorded that "Establishing the juvenile's court has had a tremendous impact on the lives of children who came into conflict with the law in Khartoum State." [23d] (p5) The report also recorded that Save the Children Sweden had conducted an evaluation of the court in August 2002 and made a number of recommendations for its improvement. [23d] (p6)

5.30 The UNHCR's July 2000 Background Paper recorded that "The Constitutional Court was established in April 1999 'to protect the Bill of Rights that was enshrined in the constitution', its main function being to examine draft laws to ensure that the National Assembly does not adopt laws that conflict with the constitution." [2a] (p12) The July 2000 Paper goes on to state that "Any individual whose rights have been violated can lodge a complaint with the Constitutional Court when all other remedies have been exhausted." [2a] (p12) The report added "Since members of the Constitutional Court are appointed by the President with the approval of the National Assembly, its effectiveness as an institution which protects human rights might be called into question when the government itself is accused of violating human rights." [2a] (p12)

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North, South and West Darfur

5.31 USSD 2004 stated that "The Special Courts Act created special three person security courts to deal with a wide range of offenses, including violations of constitutional decrees, emergency regulations, some sections of the Penal Code, as well as drug and currency offenses. Special courts, composed primarily of civilian judges, handled most security related cases." [3g] (Section 1e) In December 2004 Amnesty International (AI) released a report entitled Sudan: The Specialised Criminal Courts in Darfur, which stated that

"Special Courts instituted by decrees under a 2001 State of emergency in Darfur were reformed into 'Specialised Criminal Courts' in all three states of Darfur in March 2003, following another decree by the Chief Justice in Khartoum. Jurisdiction over offences such as armed robbery and *haraba* (banditry); unlicensed possession of firearms; crimes under articles 50-57 of the Penal Code (offences against the State); public order offences; and 'anything else considered a crime by the Governor of the State or the Head of the Judiciary' (Article 4) was passed onto these new Courts." [11am] (p1)

5.32 The AI report continued

"The Specialised Criminal Courts are defended by the Sudanese authorities as a notable improvement for the rights of defence; in particular they are now headed by only one civilian judge, compared to the Special Courts which were also headed by members of the security forces. According to the Ministry of Justice, the Specialised Criminal Courts are formally under the responsibility of the judiciary; they have been established for reasons of "expediency". However lawyers in Darfur see little difference between the Special Courts and the Specialised Criminal Courts. Many of the flaws remain." [11am] (p1)

5.33 According to USSD 2004:

"Lawyers complained that they sometimes were granted access to court documents too late to prepare an effective defense. Sentences usually were severe and implemented at once; however, death sentences were referred to the Chief Justice and the Head of State. Defendants could file appellate briefs with the Chief Justice. Special Courts were in operation during the year in Darfur, as allowed under the state of emergency." [3g] (Section 1e)

5.34 USSD 2004 continued, "Emergency tribunals, composed primarily of military judges, continued to try banditry cases, particularly in Darfur." [3g] (Section 1e) AI's December 2004 report on the Specialised Criminal Courts in Darfur recorded what the organisation considered were the main flaws that remained in the system. [11am] AI was concerned that "The 2003 Decree institutionalising such courts still fails to ensure that confessions extracted under torture are not used as evidence against the accused, even if they are later retracted." [11am] (p1) Also, that proper legal representation was still not guaranteed and, while defence lawyers were frequently allowed to represent their clients, this was at the discretion of the judge, and that "Specialized Criminal Courts continue to sentence convicted persons to cruel, inhumane and degrading punishments and the death penalty, with limited rights of appeal." [11am] (p1)

5.35 USSD 2004 stated that "Defendants were not permitted access to legal representation." [3g] (Section 1e) The same report also stated that "The emergency tribunals ordered sentences such as death by stoning and amputations during the year [2004]. Sentences were carried out quickly, with only 1 week allowed for appeal to the district chief justice. Emergency tribunals ordered executions during the year [2004]. Unlike last year [2003], there were no confirmed reports that persons were executed the day after sentencing." [3g] (Section 1e)

5.36 AI also recorded, in December 2004, that

"The Sudanese authorities also use the Specialised Courts to try ordinary people on suspicion of belonging to, or supporting, rebel groups. In Darfur, there are two opposition groups - the Sudan Liberation Army and the Justice and Equality Movement. Amnesty International is concerned that the Specialised Courts, which accept confessions extracted under torture as evidence, can be used by the Sudanese authorities to pass sentences of death

or other cruel, inhumane and degrading treatment, on such detainees. The Sudanese authorities have frequently arrested and tortured civilians into confessing to belong to rebel groups." [11am] (p1)

5.37 The Report of the International Commission of Inquiry (ICI) on Darfur to the United Nations (UN) Secretary General, dated 25 January 2005, when discussing the possible mechanisms to ensure accountability for the crimes committed in Darfur, stated that "Considering the nature of crimes committed in Darfur and the shortcomings of the Sudanese criminal justice system, which have led to effective impunity for the alleged perpetrators, the Commission is of the opinion that the Sudanese courts are unable and unwilling to prosecute and try the alleged offenders." [2c] (p144) The Commission recommended that the situation in Darfur be referred to the International Criminal Court (ICC) as "The international community must take on the responsibility to protect the civilians of Darfur and end the rampant impunity currently prevailing there." [2c] (p145)

See also Section 6A: The Darfur Conflict and Freedom of Assembly and Association/Members and Supporters of Armed Opposition Factions - Darfur; Section 6B: Ethnic Groups/Darfur; Annex B: Justice and Equality Movement, National Movement for Restoration/Reform and Development and Sudan Liberation Movement/Army; Annex C: Black Ethnic Groups - Darfur

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South and Central Sudan, including Sudan People's Liberation Movement/Army (SPLM/A)-Controlled Areas and the Nuba Mountains

5.38 USSD 2004 reported that:

"Civil authorities and institutions did not operate in parts of the rebel-held south and the Nuba Mountains [during 2004]. Parts of the South and the Nuba Mountains fell outside effective judicial procedures and other governmental functions. According to credible reports, government units summarily tried and punished those accused of crimes, especially for offences against civil order." [3g] (Section 1e)

5.39 In July 2003, the UN's Integrated Regional Information Networks (IRIN) reported that the SPLM/A had enacted twenty-six new laws, entitled Laws of the New Sudan, which were to govern SPLM areas until a north-south peace deal is signed. [15p] They reportedly covered areas such as policing and the judiciary, although they were not enforceable until all the relevant authorities in southern Sudan had received a copy of the new laws. [15p]

5.40 USSD 2004 stated that "Magistrates in SPLM/A held areas followed a penal code roughly based on the 1925 Penal Code. The SPLM has a judicial system of county magistrates, county judges, regional judges, and a court of appeals. While officials have been appointed for most of these positions, the court system did not function in many areas due to a lack of infrastructure, communications, funding, and an effective police force." [3g] (Section 1e) The United Nations (UN) Special Rapporteur

reported in January 2003 that perpetrators of abuses were reportedly sometimes brought to justice, although the judiciary often acted on an arbitrary basis. [2b] (p14)

5.41 According to USSD 2004 "The SPLM recognized traditional courts or 'Courts of Elders,' which usually heard matters of personal affairs such as marriages and dowries, and based their decisions on traditional and customary law. Local chiefs usually presided over traditional courts." [3g] (Section 1e) The same report stated that "In rural areas outside effective SPLM control, tribal chiefs applied customary laws." [3g] (Section 1e)

5.42 USSD 2004 recorded that "The Government officially exempts the 10 southern states, in which the population is mostly non-Muslim, from Hudud law--the part of Shari'a which permits physical punishments, including flogging, amputation, and stoning." [3g] (Section 1c) The report later stated that "The three Naivasha Protocols signed on May 26 and the Nairobi Declaration of June 5 confirm the principle of freedom of religion and address how Islamic law (Shari'a) will be applied throughout the country, but they have not yet been implemented." [3g] (Section 2c)

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Legal Rights/Detention

5.43 According to the US State Department's Human Rights Report for 2004 (USSD 2004), published on 28 February 2005, "The law prohibits arbitrary arrest and detention without charge; however, in practice the Government continued to use arbitrary arrest and detention under the state of emergency provisions." [3g] (Section 1d) USSD 2004 also recorded that "Under the Constitution and the Criminal Code, an individual can be detained for 3 days without charge, which can be extended for 30 days by order of the Director of Security and another 30 days by the Director of Security with the approval of the prosecuting attorney." [3g] (Section 1d)

5.44 USSD 2004 reported that "Under the amended National Security Act, which supercedes the Criminal Code, an individual accused of violating national security may be detained for 3 months without charge, which the Director of Security may extend for another 3 months." [3g] (Section 1d) The Amnesty International (AI) Annual Report for 2004, reporting on events in 2003 stated that "National and military security forces continued to hold detainees in prolonged incommunicado detention without access to lawyers or judicial review, using Article 21 of the National Security Forces Act of 1999 which allows incommunicado detention without charge or trial for a maximum of nine months." [11a] (p3) In January 2005, the Report of the International Commission of Inquiry (ICI) on Darfur to the United Nations (UN) Secretary General was published. "The Commission noted that the National Security Force Act, as amended in 2001, gives the security forces wide-reaching powers, including the power to detain without charge or access to a judge for up to nine months." [2c] (p31)

5.45 USSD 2004 further recorded that "Under the state of emergency, the Government is not constrained by the National Security Act and reportedly detained individuals indefinitely without judicial review [during 2004]." [3g] (Section 1d) The AI 2004 Annual Report reported on the July 2003 release, without charge or trial, of a sixteen-year-old male who had been detained for eleven months, apparently as a

hostage. [11a] (p3) USSD 2004 went on to state that "The law allows for bail, except for those accused of crimes which are punishable by death or life imprisonment, and there was a functioning bail system. In general, the Government detained persons for a few days before releasing them without charge or trial; however, there were exceptions, particularly for persons perceived as political opponents." [3g] (Section 1d) AI reported on the treatment of PNC members arrested in March 2004 on allegations of plotting a coup. [11u] (p38) The report stated that they had been tortured to extract confessions, which the defendants had later retracted, and that "The detainees have now been removed from the custody of the security forces and are currently held under the police, after demands by their defence lawyers. They are still detained in Kober prison. Some of them have been able to receive visits by their relatives." [11u] (p38)

5.46 USSD 2004 stated that "There were reports that security forces tortured, detained without charge, and held incommunicado political opponents (see Sections 1.a. and 1.c.). Detentions of such persons generally were prolonged." [3g] (Section 1d) The AI 2004 Annual Report recorded that "Scores of people were arrested and held in prolonged incommunicado detention by the national security, military security (istikharat) and police." [11a] (p2) The same report also stated that "Hundreds of prisoners were released by government authorities and the SLA [Sudan Liberation Army] after the September [2003] cease-fire, but arrests and detentions of those suspected of links with armed opposition groups continued." [11a] (p2) The January 2005 ICI report stated that "In Khartoum, the Commission interviewed detainees that were held incommunicado by the security forces in 'ghost houses' under abhorrent conditions. In some cases, torture, beatings and threats were used during interrogations and so as to extract confessions. Some of the detainees had been held for 11 months without charge, access to a lawyer or communication with family." [2c] (p31)

5.47 A Danish Fact Finding Mission of August and November 2001 reported that "According to the 1991 criminal law there are now nine offences in all for which the accused may be sentenced to death:

- Article 50: Attack on the power of the state and undermining the constitution
- Article 51: Making war on the state
- Article 53: Spying against the country
- Article 126: Apostasy (converting from Islam to another religion)
- Article 130: Murder
- Article 146: Adultery
- Article 148g: Homosexuality
- Article 168: Armed robbery
- Article 177: Embezzlement." [9b] (p13)

5.48 USSD 2004 stated that "In accordance with Shari'a, the Criminal Act provides for physical punishments including flogging, amputation, stoning and 'crucifixion' the public display of a body after execution." [3g] (Section 1c) The AI 2004 Annual Report on events in 2003 recorded that "Floggings were imposed for numerous offences, including public order offences and were usually carried out immediately. Amputations, including cross-amputations were also imposed but none was known to have been carried out." [11a] (p1) USSD 2004 recorded that "During the year [2004],

there were a number of sentences of flogging and cross-amputation, but few were carried out." [3g] (Section 1c)

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Human Rights Monitoring

5.49 The Inter-Parliamentary Union (IPU) website stated that, in November 2002, Sudan had in place a permanent parliamentary body dealing with human rights, the Human Rights Committee. [57b] (p6-7) IPU recorded that "The Committee is charged with the examination of individual complaints; the supervision of compliance with relevant national and international standards; and the discussion of the human rights situations at home and abroad." [57b] (p7) The Committee is reportedly responsible for, among other areas, conditions of custody. [57b] (p7) The IPU made no comment on the independence or effectiveness of the Committee. [57b]

5.50 The ICRC's Annual Report 2003 stated that "Immediately following the outbreak of conflict in Darfur, the ICRC, in accordance with its mandate, proposed its services to the government, requesting access to all those detained in connection with the fighting. This offer was declined." [58b] (p97)

Death Penalty

5.51 The AI 2004 Annual Report, covering events in 2003, recorded that "At least ten people were reported to have been executed and more than 100 death sentences were imposed [during 2003]." [11a] (p1) According to USSD 2004, "Security forces arrested numerous persons suspected of supporting the rebels in Darfur, some of whom were tried, convicted, and sentenced to death under Special Courts (see Section 1.e.)." [3g] (Section 1e) The report also stated that death sentences in these courts were referred to the Chief Justice and the Head of State, and that defendants were able to file appellate briefs with the Chief Justice. [3g] (Section 1e)

5.52 USSD 2004 recorded that "The emergency tribunals [which tried banditry cases, particularly in Darfur] ordered sentences such as death by stoning and amputations during the year. Sentences were carried out quickly, with only 1 week allowed for appeal to the district chief justice. Emergency tribunals ordered executions during the year. Unlike last year [2003], there were no confirmed reports that persons were executed the day after sentencing." [3g] (Section 1e) Amnesty International also reported on the Specialised Criminal Courts in Darfur, which imposed the death penalty throughout 2004. [11am-11u]

5.53 USSD 2004 also stated that "The Government prescribed severe punishments, including the death penalty, for violations of its labor decrees." [3g] (Section 6a) The Sudan Organisation Against Torture (SOAT) reported on a number of cases where the death penalty was imposed, including cases in which minors were sentenced to death and also the case of eighty-eight members of the Riziegat whose sentences were overturned. [23p] [23y] [23an] [23aw] [23ay] [23bh] [23bm]

See also Section 5: [Judiciary/North, South and West Darfur](#);
Section 6A: [Freedom of Assembly and Association/Members and Supporters of](#)

Sudan People's Liberation Movement/Army (SPLM/A)-Controlled Areas

5.54 USSD 2004 recorded that "Some sources believed that the SPLM/A still held several hundred prisoners of war (POWs) in indefinite detention at year's end; however, it was unknown whether this was indeed the case." [3g] (Section 1d) The report also recorded that "The Government officially exempts the 10 southern states, in which the population is mostly non-Muslim, from Hudud law--the part of Shari'a which permits physical punishments, including flogging, amputation, and stoning." [3g] (Section 1c) The report continued, "Shari'a is applied in the North but not by courts in the South. There continued to be reports that non Muslims were prosecuted and convicted under Shari'a "hudud" laws (see Section 1.c.)." [3g] (Section 1e)

See also Section 5 on Judiciary/SPLM/A-Controlled Areas and the Nuba Mountains

Human Rights Monitoring of Conditions for SPLM/A Detainees and Detainees Held by Other Opposition Factions

5.55 USSD 2004 reported that "The SPLM/A, which has taken a number of POWs over the years, often cooperated with the International Committee of the Red Cross (ICRC), allowing them regular visits to the POWs (see Section 1.c.)." [3g] (Section 1g) The ICRC's Annual Report 2003 reported that, during 2003, "610 people (including 126 newly registered) held by armed opposition groups were seen individually in 17 detention facilities during 21 visits." [58b] (p97) The report stated that "It [the ICRC] remained the only organization granted regular access to hundreds of government soldiers held by the SPLM/A." [58b]

5.56 The ICRC's Annual Report 2002 stated that "Following fighting in October between government troops and the northern opposition group, the National Democratic Alliance, near the border with Eritrea, the ICRC was granted access, for the first time, to 198 detainees held by the Alliance." [58a] (p105) Although the ICRC's Annual Report 2003 stated that the organisation had visited detainees held by armed opposition groups, it made no specific mention of visits to detainees being held by the NDA during 2003; nor to visiting any detainees of the Sudan Liberation Army (SLA) or the Justice and Equality Movement (JEM) in Darfur. [58b]

Internal Security

5.57 According to the US State Department's Human Rights Report for 2004 (USSD 2004), published on 28 February 2005, "In addition to the regular police and the Sudan People's Armed Forces, the Government maintained an external security force, an internal security force, a militia known as the Popular Defense Forces (PDF), and a number of police forces." [3g] (p1)

See also Section 5: [Military Service](#) and [Military Service/Popular Defence Force](#)

5.58 USSD 2004 stated that the police forces included regular police units, the Popular Police Force (PPF) and the Public Order Police (POP). [3g] (Section 1d) The same report recorded that "The PPF is a parallel pro government force that received higher pay than the regular police. The POP is a law enforcement entity that enforced Islamic law (Shari'a), including enforcing proper social behaviour, such as restrictions on alcohol and 'immodest dress.'" [3g] (Section 1d) The report also stated that "Effectiveness varied depending on the strength of the local militias and security forces. Police corruption was a problem, and police officers supplemented their incomes by extorting bribes from the local civilians." [3g] (Section 1d)

5.59 The Report of the International Commission of Inquiry (ICI) on Darfur to the United Nations (UN) Secretary General, published in January 2005, recorded that

"The Sudanese armed force is a conventional armed force with a mandate to protect and to maintain internal security.¹⁷ It carries out its mandate through an army, including Popular Defence Force militia and Borders Intelligence, as well as an air force and navy. According to information received by the Commission, currently the army numbers approximately 200,000 in strength, although its logistical capacity was designed for an army of 60,000. Support, in particular air support, therefore goes primarily to priority areas and is re-deployed only after those areas have calmed down. The central command and control of armed forces operations are therefore imperative." [2c] (p27)

5.60 The ICI report also stated that "According to information received by the Commission, the National Security and Intelligence Service is one of the most powerful organs in the Sudan....National Security Forces act under the general supervision of the President."²² [2c] (p27) USSD 2004 stated that "The security forces were under the effective control of the Government. Members of the security forces committed numerous, serious human rights abuses." [3g] (p1)

See also Section 6: [Human Rights](#) for details on the treatment of individuals, specific groups and the restriction of fundamental freedoms by the security forces.

5.61 The International Committee of the Red Cross (ICRC) Annual Report for 2002 stated that "The director of the Law Department of the Sudanese Police Academy provisionally agreed to introduce IHL and human rights into the curriculum in the next academic year." [58a] (p106) The ICRC's 2003 Annual Report stated that:

"The first advanced course was held for police instructors [in 2003] and, with the improved security, the ICRC conducted its first presentations, ranging from short talks to five-day courses, to police covering conflict-affected regions, including forces in Juba, Kadugli and Torit. In another positive development, Sudan's security services agreed in principle to launch, with ICRC support, a training programme for its members in 2004, covering international human rights law and humanitarian principles." [58b] (p98)

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Prisons and Prison Conditions

Structure

5.62 The Sudan Organisation Against Torture's (SOAT) Annual Report on Women Prison Conditions in Sudan 2003 provided some background on the prison structure in Sudan. The report stated that "The prisons in Sudan are divided into five sections; Federal, Provincial, Regional, and Central, Open and Semi- Open and Mental Asylums." [23c] (p1) According to the same report, the seven different prisons house the following types of prisoner:

- Federal: Repeat offenders, prisoners with special needs such as behavioural difficulties, those imprisoned for crimes regarding hudud [crimes where physical punishment for the offence is provided in law] and unusual practices like refusing to obey orders.
- Provincial: First time offenders with medium to long term sentences, hudud prisoners from the provinces and those with special needs.
- Regional and Central: Repeat offenders with medium to long term sentences and first time offenders.
- Open and Semi-Open camp: First time offenders, according to their jobs, age and those with a positive attitude.
- Mental Asylum: Those who have been sectioned under article 4 of the criminal act of 1991 and prisoners who are too mentally unstable to carry out their sentences in normal prison conditions. [23c] (p1-2)

SOAT's 2003 report also recorded the size, location and layout of the mixed and women's prisons in Marawi, Al Fashir, Kousti and Omdurman. [23c]

Conditions in Prisons in Government-Controlled Areas

5.63 The US State Department's Human Rights Report for 2004 (USSD 2004), published on 28 February 2005, reported that "Prison conditions remained harsh, overcrowded, and life threatening." [3g] (Section 1c) The report continued:

"Most prisons were old and poorly maintained, and many lacked basic facilities such as toilets or showers. Health care was primitive, and food was inadequate. Prison officials arbitrarily denied family visits to prisoners. High-ranking political prisoners reportedly enjoyed better conditions than did other prisoners [in 2004]." [3g] (Section 1c)

USSD 2004 also stated that "Pretrial detainees were held separately from convicted prisoners." [3g] (Section 1c)

5.64 Marawi and Kousti prison, according to SOAT's 2003 Report on Women's Prisons, were mixed prisons. [23c] (p10, 11) SOAT's 2003 report stated that "There are no health units at the prison [Marawi] as there are no medical staffs (sic)." [23c] (p11) However, in Kousti prison, SOAT reported, "There are no serious health issues amongst the prisoners....There are medical units with the prison and in the past there was a medical assistance to overlook its operation, who looked after the health

of prisoners." [23c] (p12)

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Women in Prison

5.65 USSD 2004 recorded that "Male and female prisoners were held separately." [3g] (Section 1c) SOAT's 2003 report included information in varying detail on the living and health conditions in each of the prisons on which it reported. [23c] The report recorded that, in Omdurman, blankets and sheets were not provided by the state and the prison authorities depended on charities to provide them. [23c] (p7) SOAT also recorded that "Prisoners suffering from poor health are relocated to Al Tigani Al Mahi hospital on Omdurman or the Central mental hospital in Kober (a department of the prison administration)." [23c] (p7)

5.66 SOAT's 2003 report stated that in Kousti women's prison "There are 45 inmates along with twelve accompanied children. Between the hours 5pm to 5 am only one area[,] a room is provided for them to reside in, this room does not have space for a quarter of the inmates....There are only 4 beds; these are the private property of some 4 persons of the inmates." [23c] (p13) The report also noted that, in Kousti prison, "The prisoners' ankles are chained by manacles almost always, especially when they are visiting a hospital, they may even be chained together as a group." [23c] (p14)

See also Section 6B: [Women](#)

Children in Prison

5.67 The United Nations' Special Rapporteur's (UN SR) Report of January 2003 stated that "Only two reformatories exist and children are very often detained with adults and allegedly subjected to inhumane treatment." [2b] (p13) USSD 2004 concurred, stating that "Juveniles often were held with adults." [3g] (Section 1c) SOAT's 2003 report on Women's Prisons stated that, in Kousti's mixed prison, "There is no separate section for minors and as they are not allowed according to law) (sic) to mix with the adult populations, so, they have to be imprisoned in solitary confinement." [23c] (p12)

5.68 SOAT's April 2004 Report on Reformatories in Sudan recorded the locations of the two reformatories that were in operation in Sudan as Jireif Reformatory in the Jireif area in Khartoum and Kober Reformatory in Kober, Khartoum North. [23d] (p1) SOAT's April 2004 report recorded that "There is no special health facility attached to the reformatory [in Jireif]." [23d] (p10) When discussing the conditions in Kober Reformatory the SOAT April 2004 report recorded that "There is no medical check and not even a medical unit....Juveniles in severe cases are taken to security hospital which is near the reformatory." [23d] (p12)

5.69 The SOAT report also stated that "It [Kober reformatory] lacks the help of National or International NGOs [unlike Jireif], the juveniles at Jireif reformatory feel too funk (sic) and afraid if the officers threat[en] them by transferring them to Kober reformatory." [23d] (p12) According to SOAT's 2004 report, common punishments in the two reformatories included solitary confinement, lashings and being asked to

perform tasks which, in Kober prison, could be cruel and inhuman in nature. [23d] (p11, 13)

5.70 USSD 2004 added that "To provide proper care for their children, many women prisoners took the children into the prison where education was unavailable." [3g] (Section 1c) However, SOAT's 2003 Report on Women's Prisons stated that, in Omdurman, "The children continue their education at Bayt al Maal Primary School (Omdurman district)." [23c] (p9)

Human Rights Monitoring

5.71 USSD 2004 stated that "The Government did not permit regular visits to prisons by human rights observers. No independent domestic human rights organizations monitored prison conditions." [3g] (Section 1c) The Inter-Parliamentary Union (IPU) website stated that, in November 2002 Sudan had in place a parliamentary body dealing with human rights, the Human Rights Committee. [57b] (p6-7) The IPU website recorded that "The Committee is charged with the examination of individual complaints; the supervision of compliance with relevant national and international standards; and the discussion of the human rights situations at home and abroad." [57b] (p7) The IPU stated that the Human Rights Committee dealt with, among other areas, the conditions of prisons, including the inspection of Kober Prison. [57b] (p7) The IPU made no comment on the independence or effectiveness of the Committee. [57b]

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Military Service

5.72 War Resisters' International's (WRI) 1998 Survey Refusing to Bear Arms recorded that the law governing military service is the National Service Act 1992, which rendered all males aged between eighteen and thirty-three liable for national service. [19] (p1) However, the Danish Fact Finding Mission (FFM) of 2000 reported that "Military service is compulsory for all males aged 18 and over, the recruitment age being adjusted from time to time." [9a] (p36) A letter from the Foreign and Commonwealth Office (FCO) dated 28 February 2005 confirmed that there had been no change to the law(s) governing military service since 2001. [25c] (p1)

5.73 WRI's 1998 Survey also recorded that "According to the law, women are also liable for military service, but they are not called up in practice." [19] (p1) WRI's survey stated that "The length of military service is 24 months, 18 months, in the case of high school graduates, and 12 months in the case of university and college graduates." [19] (p1)

5.74 WRI's 1998 Survey stated that "According to the 1992 law, those called up for military service are not allowed to follow an education or get a job. Men of conscription age are forbidden to leave the country for any reason (art.20)." [19] (p4) The US State Department's Human Rights Report for 2004 (USSD 2004), published on 28 February 2005, recorded that "The Government officially required that young men between the ages of 17 and 19 enter military or national service to be able to receive a certificate upon leaving secondary school; the certificate was a requirement for entry into a university." [3g] (Section 4) According to the Danish FFM, in

the year 2000, virtually all students at Khartoum University had thus completed their military service and many had been deployed at the front in the south. [9a] According to two SPLM/A representatives consulted by the Danish fact-finding mission (FFM) of August and November 2001, there was some possibility of obtaining an examination certificate via bribery at that time. [9b] (p39)

5.75 In its 2002 Annual Report, the International Committee of the Red Cross (ICRC) reported that "Significant progress was made in implementing IHL [International Humanitarian Law] at national level." [58a] (p105) The ICRC reported that this progress included "A milestone [that] was reached when the Sudanese army, with ICRC support, incorporated IHL into its standard training programme." [58a] (p105-6) The ICRC's 2003 Annual Report stated that "The ceasefires meant the ICRC was able to work more in the field, giving presentations in conflict-affected regions such as Raja, Wau and the Nuba Mountains." [58b] (p97)

5.76 The ICRC's 2003 report also recorded that "Following longstanding discussions, the head of military intelligence gave the ICRC permission to give IHL presentations to pro-government militias. A three-day seminar was held in Raja for 35 officers of the South Sudan Defence Forces [SSDF], followed by introductory IHL talks for pro-government militias in Equatoria." [58b] (p98)

Popular Defence Force (PDF)

5.77 The report of Danish (FFM) of 2001 stated that "Besides the regular Sudanese army the National Congress (NC) party has its own military branch called the Popular Defence Forces (PDF)." [9b] (p35) The PDF was created by the Government in 1990 and has its legal basis in the Popular Defence Forces Act 1989. [19] (p2-3) The Danish FFM Report 2001 recorded that, "Under the 1989 Popular Defence Forces Act (attached as Annex 5 [of the report]), PDF recruits must be at least 16 years old and Sudanese citizens. In 1992 service in the PDF became obligatory for all students, both male and female. Completion of service was a precondition for entering further education." [9b] (p37)

5.78 The January 2005 Report of the International Commission of Inquiry (ICI) to the United Nations (UN) Secretary General stated that "For operational purposes, the Sudanese armed forces can be supplemented by the mobilization of civilians or reservists into the Popular Defence Forces (PDF).... According to information gathered by the Commission, local government officials are asked by army Headquarters to mobilize and recruit PDF forces through tribal leaders and sheikhs.¹⁸ The *Wali* is responsible for mobilization in each State because he is expected to be familiar with the local tribal leaders." [2c] (p28)

5.79 WRI's 1998 Survey stated "PDF training involves military training, civil defence training and patriotic and cultural education (1989 law, art.14) and is considered to be an instrument of religious indoctrination." [19] (p3) The Danish FFM Report 2001 concurred: "The PDF training contained a considerable element of Islamisation, and many Christian students therefore had serious problems when they were recruited to the PDF." [9a] (p37) According to the same report, although women were recruited into the PDF on a voluntary basis, they were not sent on active service although "There were women's battalions which stayed behind the front lines where recruits worked

as nurses, etc." [9b] (p39) The ICI recorded that "One senior commander explained the recruitment and training of PDF soldiers as follows:

'Training is done through central barracks and local barracks in each state. A person comes forward to volunteer. We first determine whether training is needed or not. We then do a security check and a medical check. We compose a list and give it to the military. This is done at both levels – Khartoum and state or local level. We give basic training (for example, on the use of weapons, discipline, ...) which can take two weeks or so, depending on the individual. '

' A person may come with a horse or camel – we may send them into military operations on their camel or horse. [...] Recruits are given weapons and weapons are retrieved again at the end of training. ' " [2c] (p28)

5.80 The 2001 Danish FFM Report recorded that "Students who go into the PDF before entering further education have to serve 12 months, while those who have not yet been accepted for further education or who have not completed secondary school have to serve for 18 months. State employees and those working in state-owned companies have to undergo a 45-day training programme." [9b] (p37) USSD 2004 recorded that "Male teenagers (and, in the South, some girls) in the [government] camps [for vagrant children] often were conscripted into the PDF. Conscripts faced significant hardship and abuse in military service, often serving on the frontline." [3g] (Section 4)

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Exemptions, Pardons and Postponements

5.81 The National Service Act 1992, contained at annex 4 of the Danish 2001 FFM Report, detailed the conditions to be met by Sudanese citizens to qualify for an exemption, pardon or postponement of their military service. [9b] (p69-72)

Conscientious Objection, Desertion and Evasion

5.82 WRI's 1998 Survey recorded that "The right to conscientious objection is not legally recognised." [19] (p3) WRI's 1998 Survey also stated that "Avoiding military service is punishable by two to three years' imprisonment (National Service Law, art.28)." [19] (p4) The Danish FFM Report 2001 stated that:

"A well-informed local source in Cairo said that deserters were not normally punished with imprisonment. [In 2001] If a deserter was caught he would be sent to the front under genuine threat of harassment and under close supervision. Otherwise the sentence for desertion was three years, but there had been very few examples of deserters being sentenced to three years in prison." [9b] (p51)

The FCO stated in its letter of February 2005 that, although they were not aware of specific cases of draft evaders/deserters facing inhuman, degrading or persecutory treatment, they would not be surprised to find that this was the case. [25c] (p1)

5.83 WRI's 1998 Survey reported that "Draft evasion and desertion seem to be widespread." [19] (p4) The 2001 Danish FFM Report "The [same well-informed Cairo] source also explained that a person's ability to avoid military service in Sudan [in 2001] would depend very much on his and his family's connections to the regime, and the social and economic position of his family in Sudan." [9b] (p51)

5.84 In the same report, various sources including representatives of the SPLM/A, Bahr el-Ghazal Youth Development Agency (BDYA) and the Deputy Head of Mission at the Embassy of the Federal Republic of Germany had varying opinions on the possibility of using bribery to avoid military service. [9b] (p51-53)

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Recruitment/Conscription

5.85 War Resisters' International's 1998 Survey stated that "The 1992 National Service Law was introduced in an attempt to meet [the] increasing personnel needs of the armed forces." [19] (p2) The FCO, when commenting on the the government's current recruitment/conscription practices in its letter of February 2005, stated that "The relevant authority puts an advertisement in the local media calling for young people to sign up." [25c] (p1) The Danish FFM of 2000 stated that "The UNHCR [United Nations' High Commission for Refugees] pointed out that there are three common forms of recruitment to the Popular Defence Force (PDF) and the armed forces." In the year 2000, these were:

- students (at secondary school) faced with the need to collect their examination certificates. [9a] (p36)
- round-ups in the street. [9a] (p36) [9b] (p35, 37, 38, 39, 40) SPLM/A representatives told the 2001 Danish FFM that "This happened at checkpoints, in people's homes, in schools and in public places." [9b] (p39)
- call-up via employers (in both the public and private sector). [9a] (p36)

5.86 The Danish FFM of 2001 stated that during round-ups military personnel in civilian clothing stopped vehicles and "The authorities forced those passengers who were believed to be the right age for conscription and who could not prove that they had in fact already performed their military service to go with them to military training camps. Many of those who were recruited did not even have an opportunity to contact their parents or relatives to inform them of what had happened." [9b] (p35)

5.87 A December 2002 Canadian Immigration and Refugee Board (IRB) Research Directorate enquiry response described "The process for reporting for military service; how recruitment calls are made; [and] exemptions from service." [31a] (p1) In addition to the above methods of call-up the chairman of the Sudan Human Rights Group (SHRG), who was consulted by the IRB, stated that local radio and television announcements occurred asserting that all men eligible for military service should gather together at a specific place, on a certain hour and date. [31a] (p1)

5.88 The IRB in 2002 reported that "As well, he [the Chairman of the SHRG] stated that '[i]n case of emergency, that is to say, [an] urgent need for fighters, the Military Police usually close main highways and roads and check the passengers and arrest

those persons who are eligible for...service.'" [31a] (p1) A professor of Islamic and Sudanese history at Georgetown University was also consulted by the IRB in December 2002. He stated that:

"In practice, for the areas outside of the major urban areas, I would think that the primary means for recruitment is what it was in older times - the local notables who speak for the local people when dealing with the government ('tribal' chiefs and heads of clan) would be responsible for making sure that appropriate young men reported at the right place and the right time." [31a] (p1)

5.89 The Danish FFM report 2001 stated that:

"Both southern and northern Sudanese were recruited. A well-informed source in Cairo explained that besides the recruitment of northern Sudanese for the regular Sudan Army there was also significant recruitment of internally displaced men from the war zones in Sudan [during 2001]. They were often recruited as volunteers as it was a means for them to support themselves in Sudan." [9b] (p40)

Forced Conscription

5.90 According to USSD 2004 "The Government and government-allied militias forcibly conscripted young men and boys into the military forces to fight in the civil war [during 2004]." [3g] (Section 4) USSD 2004 also recorded that "Unlike in the previous year [2003], there were no reports that the South Sudan Unity Movement conscripted boys [during 2004]." [3g] (Section 4)

5.91 USSD 2004 reported on Government operated camps for vagrant children and stated that "Male teenagers (and, in the South, some girls) in the camps often were conscripted into the PDF. Conscripts faced significant hardship and abuse in military service, often serving on the frontline." [3g] (Section 4) USSD 2004 recorded that "The ICRC [International Committee of the Red Cross] cooperated with UNICEF [United Nations Children's Fund] to remove child soldiers from the South [during 2004]." [3g] (Section 4) The report also stated that "Unlike in the previous year, there were no reports that forced conscriptions resulted in deaths." [3g] (Section 1a)

5.92 Save the Children (UK) published a report entitled Child Protection in Darfur in September 2004 in which the organisation expressed its concerns regarding the apparent forced conscription of children by government/government-allied forces in Darfur. [45] (p5) The report stated that some children might also have 'volunteered' in an effort to protect themselves or their families but stressed that even the 'voluntary' recruitment of minors is a violation of their rights and, in the case of children under 15, such a practice constitutes a war crime. [45] (p5)

See also Section 6B: Children

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Recruitment/Forced Conscription by the Sudan People's Liberation

Movement/Army (SPLM/A)

5.93 USSD 2004 recorded that "Although rebel factions forcibly conscripted citizens, including children, the SPLM/A also continued to demobilize child soldiers." [3g] (Section 4) The United Nation's Special Rapporteur's (SR) January 2003 Report concurred: "Forced recruitment is reportedly ongoing [in SPLM/A-controlled areas as of January 2003]." [2b] (p15) The report of the Danish fact-finding mission of August and November 2001 stated that "The SPLA had taken many prisoners of war and most of these had claimed [in 2001] to have been forcibly recruited and sent to fight against their will." [9b] (p39)

5.94 In its 2002 Annual Report, the ICRC reported that "In November, the SPLA incorporated a 44-hour course on IHL into the standard curricula of its main training facility, the Institute for Strategic Studies." [58a] (p106) The ICRC's 2003 Annual Report recorded that "Thanks to the ceasefires and easing of travel restrictions, the ICRC conducted IHL sessions, sometimes combined with first-aid training, for SPLM/A members in areas previously restricted or off-limits in Eastern Equatoria, Upper Nile, western Upper Nile/Unity state and the Nuba Mountains." [58b] (p98) USSD 2004 also recorded that "The ICRC cooperated with UNICEF to remove child soldiers from the South [during 2004]." [3g] (Section 4)

Recruitment/Forced Conscription by Other Armed Opposition Groups

5.95 Save the Children (UK) published a report, 'Child Protection in Darfur' in September 2004 in which the organisation expressed its concerns regarding the apparent forced conscription of children by rebel groups in Darfur. [45] (p5) The report also stated that some children might also have 'volunteered' in an effort to protect themselves or their families but stressed that even the 'voluntary' recruitment of minors is a violation of their rights and, in the case of children under 15, such a practice constitutes a war crime. [45] (p5)

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Medical Services

5.96 UNICEF's 'At a glance: Sudan - Statistics' contained numerical indicators from 2002 which estimated that the average life expectancy at birth for a Sudanese person was fifty-six years and that approximately one hundred and three thousand children had died before reaching the age of five in the same year. [68b] (p1) According to the Encyclopaedia Britannica (EB) 2004 "Varying ecological conditions in The Sudan, poor hygiene, and widespread inadequacies of diet result in a high incidence of fatal infectious disease. The most common illnesses are malaria, dysentery and other gastrointestinal diseases, and tuberculosis." [6c] (p5)

5.97 The Foreign and Commonwealth's February 2005 Country Profile stated that "Medical facilities [in Sudan] are not comparable to Western standards." [25f] (p5) A July 2004 WHO Summary Country Profile for HIV/AIDS Treatment reported that "In general, Sudan's health system suffers from a weak infrastructure in terms of human resources, health service coverage and funds. It is characterized by major disparities in the distribution of services and resources between and within states, between

rural and urban areas and in states affected by conflict." [29a] (p2)

5.98 The EB 2004 concurred: "Most of the country's small number of physicians are concentrated in the urban areas of the north, as are the major hospitals. Medical assistants, who can provide simple treatment and vaccination, also are in short supply. Most trained nurses and midwives also work in the north." [6c] (p5) A September 2004 report by the UN's Integrated Regional Information Networks (IRIN) recorded that Sudan suffered from "High maternal mortality rates due to inadequate services." [15b] The US State Department's Human Rights Report for 2004 (USSD 2004), published on 28 February 2005, reported that "There were significant inequalities in access to health services for children living in different areas of the country." [3g] (Section 5)

5.99 ReliefWeb reproduced extracts from WHO's April 2004 report 'Health Services in Darfour States' which stated that "There is an acute shortage in the number of health facilities, health personnel and supportive services in the three states of Darfour as compared to other northern states." [29d] (p2) Save the Children (UK)'s September 2004 report, 'Child Protection in Darfur' stated that "Access to primary health care remains low, with just 50% of needs covered." [45] (p6) The report also recorded that "A recent inter-agency assessment in Dar Zagawa, North Darfur has noted that people have to travel up to 12 days by donkey to receive medical care and drugs, subject to insecure conditions on the road." [45] (p6)

HIV/AIDS

5.100 The Joint United Nations Programme on HIV/AIDS' (UNAIDS) June 2004 Report on the global AIDS epidemic stated that:

"Sudan is by far the worst-affected country in the region [North Africa and the Middle East]. Its overall HIV prevalence is nearly 2.3% (range: 0.7 - 7.2%); the epidemic is most severe in the southern part of the country. Heterosexual intercourse is the principal mode of transmission. The virus is spreading in the general population, infecting women more rapidly than men." [21] (p34)

5.101 A July 2004 World Health Organisation (WHO) Summary Country Profile for HIV/AIDS Treatment stated that "According to national sources, at the end of December 2003, 10 959 cases of HIV/AIDS had been reported to the Sudanese National AIDS Control Programme [SNACP] since the beginning of the epidemic." [29a] (p1) A September 2004 IRIN report recorded that, according to the United Nations Population Fund (UNFPA), a national prevention and care programme was being implemented to combat HIV/AIDS. [15b]

5.102 The WHO HIV/AIDS Treatment Profile recorded that "The current cost of a first-line treatment regimen is US\$ 516 per person per year, using zidovudine + lamivudine + nevirapine." [29a] (p1) Information provided by the Foreign and Commonwealth Office (FCO) in April 2004 stated that "No ART [antiretroviral therapy] is available in Sudan through the state medical scheme." [25d] (p1)

5.103 Further information on cost and availability was supplied by the FCO in July 2004. [25e] FCO advised that a "Dr Hamdoun [Elbushra] [an importer of ART drugs in

Khartoum] has no problem importing the [ART] drugs and supply more than matches demand. He maintains a residual stock at all times." [25e] The six treatment regimes Dr Hamdoun supplied to his customers, in descending order of preference, were:

	Name of drug	Strength of drug (mg.)	No. of tablets/strip	Wholesale price of strip (Sudanese Dinars)	No. of tablets/day
1	Zidovir	100	10	1700	6
2	Lamivir	150	10	1000	2
3	Nevimune	200	10	1800	2
4	Douvir	Comb. 1+2	10	2500	2
5	Indival	400	30	4750	6
6	Tri-Immunal	N/K	N/K	13900 for 1 month	N/K

The FCO information of July 2004 stated that these drugs were available from three different pharmacies in Khartoum and one in Omdurman, "However if the treatment is obtained at the pharmacy the retail price is 20% more than the wholesale price." [25e]

Mental Health Care

5.104 According to the World Health Organisation (WHO) Mental Project Atlas: Country Profile on Sudan 2002, most major initiatives of the mental health care system in Sudan were formulated in the mid- to late-1990s. [29b] (p1) According to the WHO Collaborative Programme's situation analysis of Mental Health Promotion in Sudan 2001 "Now [in 2001] the mental health services and facilities are very limited and cover very small areas in Sudan mostly in some big cities mainly Khartoum State at the secondary and tertiary levels." [29c]

5.105 The 2002 WHO Profile recorded that there were few psychiatric beds or professionals in relation to the population, with only 0.2 psychiatric beds per 10,000 population, 0.09 psychiatrists and 0.17 psychologists per 100,000 population in 2002. [29b] (p2, 3) The Profile also stated that "Most psychiatrists have left for other countries." [29b] (p3) The WHO's 2001 situation analysis stated that, in 2001, "Most of the people seek help from [sic] the native healers. This is due to social stigma, illiteracy and the shortage of mental health services and facilities." [29c]

5.106 The WHO Country Profile 2002 also recorded that access to mental health care in the primary health care system was not available. [29b] (p2) The Country Profile noted that "Since mental health is not integrated in primary care level most of the [therapeutic] drugs are not available at primary care level." [29b] (p4) According to the 2002 WHO Profile on Sudan "The country has specific programmes for mental health for refugees and children. These groups are supported by NGO's [Non-Governmental Organisations] and UNICEF [United Nations Children's Fund]. Special attention has been given to migrants, [the] elderly, refugees, [the] displaced and homeless and children." [29b] (p3)

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South Sudan, including Sudan People's Liberation Movement/Army (SPLM/A)-Controlled Areas

5.107 On 17 June 2004 IRIN reported that a study, conducted by the New Sudan Centre for Statistics and Evaluation (NSCSE), in association with the UN Children's Fund (UNICEF), had ranked southern Sudan as the worst in the world in many of the key indicators, including health, of the wellbeing of women and children. [15a] A seminar conducted in 2002 by the Brookings Institution-SAIS Project on Internal Displacement was quoted by the Global IDP Project in November 2003: "She [Adele Sowinska, Program Coordinator for the International Rescue Committee] noted that in Equatoria, there was currently one doctor for every 100,000 in the population and that there were no doctors at all in Bahr el Ghazal or Western Upper Nile. Many areas also lacked safe water and other necessities." [43a] (p103)

5.108 The United Nations (UN) Integrated Regional Information Networks (IRIN) reported in July 2003 that "An NGO survey of rebel-controlled Abyei County has found that there are no health services available to a population of about 32,000, forcing them to walk for between two and three days to access medical care." [15c] (p1) The International Committee of the Red Cross' (ICRC) Annual Report for 2003 did state that:

"The ICRC continued to develop its community-based, primary health-care (PHC) programme, launched in 1998 to prevent public health from deteriorating in vulnerable areas of southern Sudan. The organization provided medical supplies, staff, training, supervision and building maintenance to 13 PHC facilities serving some 225,000 people in and around Juba, Raja and Wau (government-controlled) and Chelkou and Yirol (SPLM/A-controlled)." [58b] (p96)

HIV/AIDS in South Sudan, including Sudan People's Liberation Movement/Army (SPLM/A)-Controlled Areas

5.109 UNAIDS' June 2004 Report on the global AIDS epidemic stated that the infection level is at its most severe in the southern part of the country and recorded that "Among pregnant women in the south, HIV prevalence is reported to be six-to-eight times higher than around Khartoum in the North." [21] (p34) A February 2004 IRIN PlusNews Report recorded that "Southern Sudan was thought to have a higher prevalence than the north as a result of conflict, frequent movement across borders, severe economic disparity and poverty, said Hind [Hassan, the Sudan focal point with UNAIDS]." [15q]

5.110 IRIN reported in October 2003 that "Condoms are not freely available and at the price of 500 Ugandan shillings (25 cents) for a packet of three, they are a luxury many can't afford." [15r] (p3) However, a February 2004 IRIN PlusNews report stated that "Sudan's first free voluntary counselling and testing (VCT) centre for HIV/AIDS is being established in Juba, a southern garrison town." [15q]

5.111 According to the July 2004 WHO Country Profile for HIV/AIDS Treatment, "The Health Secretariat of the Sudan People's Liberation Army [SLMA] drafted an HIV/AIDS policy in 2001 for the south that was endorsed by the leadership of that movement. In 2002, the New Sudan National AIDS Council was created to monitor and evaluate the implementation of the policy." [29a] (p1) However, the Country Profile also stated "Blood-banking facilities and regulations for blood testing do not exist in

the south, which also suffers from a serious lack of health care personnel trained in antiretroviral therapy." [29a] (p2)

5.112 According to IRIN's October 2003 PlusNews Web Special Report "Inevitably, the provision of treatment [in south Sudan] is still a distant reality." [15f] (p3) The report also stated that "Funding is another issue." Applications for HIV/AIDS activity funding in 2002 and in May 2003 were reportedly turned down by the Global Fund for HIV/AIDS, Tuberculosis and Malaria. [15f] (p3) A year later, in October 2004, IRIN reported that the same concerns of a sharp increase in infection rates in south Sudan due to improved mobility, ignorance and social attitudes, and the lack of supplies remained. [15d]

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Education

5.113 According to the Encyclopaedia Britannica (EB) 2004 "A modern educational system was established in The Sudan in the 1970s when the government reorganized a haphazard system of schools inherited from the British colonial government." [6c] (p3) EB 2004 reported:

"It [the national educational system] consists of a six-year curriculum for primary (or elementary) schools and a three-year curriculum for junior secondary schools, from which students can progress to any of three types of schools: a three-year higher secondary school to prepare students for higher education; a four-year commercial, agricultural, or other technical school; or a four-year teacher training school." [6c] (p3-4)

5.114 The US State Department's Human Rights Report for 2004 (USSD 2004), published on 28 February 2005, reported that "The Government officially required that young men between the ages of 17 and 19 enter military or national service to be able to receive a certificate upon leaving secondary school; the certificate was a requirement for entry into a university." [3g] (section 4)

5.115 USSD 2004 also recorded that:

"The Government's commitment to children's rights and welfare was uneven throughout the country....There were wide disparities among states and some gender disparity especially in the eastern and western regions; for example, enrollment was 78 percent in Khartoum State and only 26 percent in South Darfur State. In the north, boys and girls generally had equal access to education (50 percent and 47 percent, respectively), girls were more affected by early marriage and the fact that many families with restricted income choose to send sons and not daughters to school.....Nomadic groups also were disadvantaged." [3g] (Section 5)

The report stated that "Although there was little data on enrollment rates, it was estimated that the vast majority of the school age children of IDPs were not receiving an education because of inadequate facilities or because they could not afford the fees." [3g] (Section 4)

5.116 EB 2004 stated that "The primary language of instruction in the nation's primary schools, in both the north and south, is Arabic." [6c] (p4) EB 2004 also recorded that "English was formerly the medium of instruction in the nation's universities and secondary schools but has now been largely replaced by Arabic." [6c] (p4) USSD 2004 recorded that "Citizens in Arabic speaking areas who did not speak Arabic experienced discrimination in education, employment, and other areas." [3g] (Section 5)

See also Section 6B: Children

5.117 Europa 2005 recorded that, according to the United Nations Educational, Scientific and Cultural Organisation's (UNESCO) Institute for Statistics, 200,538 people were studying at University in Sudan in 1996/97. [1] (p1111) USSD 2004 recorded that "More than 60 percent of university students were women, in part, because men were conscripted for war." [3g] (Section 5)

5.118 According to the Sudan-American Foundation for Education (SAFE), which donates to various organisations and institutions in Sudan, there are over thirty universities, colleges and other educational institutes in Sudan. [53] (p1, 3-4) Among those institutions that SAFE has assisted are the Ahfad University for Women in Omdurman, the International African University, Al Neelain University and Omdurman Islamic University. [53] (p3-4) Also, Sennar University, the Sudan University for Science and Technology in Khartoum, University of Juba, University of Khartoum and the El Zaiem El Azhari University College. [53] (p3-4)

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South Sudan, including Sudan People's Liberation Movement/Army (SPLM/A)-Controlled Areas

5.119 On 17 June 2004 the UN's Integrated Regional Information Networks (IRIN) reported that a study, conducted by the New Sudan Centre for Statistics and Evaluation (NSCSE), in association with the UN Children's Fund (UNICEF), had ranked southern Sudan as the worst in the world in many of the key indicators, including education, of the wellbeing of women and children. [15a1] Encyclopaedia Britannica 2004 (EB 2004) stated that "The south remains the most educationally deprived region of the country, with less than one-seventh of the total number of primary schools, despite having one-fourth to one-third of the country's total population." [6c] (p4) USSD 2004 recorded that "In the urban areas of the south, primary school age children in basic education were estimated at 68 percent of all boys and 67 percent of all girls." [3g] (Section 4) EB 2004 recorded that "The southern partisans operate schools in the areas they control, but their resources are extremely limited." [6c] (p3)

5.120 USSD 2004 stated that "Although there was little data on enrollment rates, it was estimated that the vast majority of the school age children of IDPs were not receiving an education because of inadequate facilities or because they could not afford the fees." [3g] (Section 4)

6. HUMAN RIGHTS

6.A HUMAN RIGHTS ISSUES

General

6.1 The US State Department's Human Rights Report for 2004 (USSD 2004), which was published on 28 February 2005, stated that "The Government's human rights record remained extremely poor, and, although there were improvements in some areas, numerous, serious problems remained." [3g] (p1) In 2004 and 2005 the abuse of individuals and groups, and the severe restriction of the fundamental freedoms were reported in detail by international human rights groups such as Human Rights Watch (HRW), Amnesty International (AI) and the World Organisation Against Torture (OMCT). [10a-10k] [11a-11am] [42a-42l] Sudanese human rights organisations, the Sudan Organisation Against Torture (SOAT) and the Sudan Human Rights Organisation-Cairo (SHRO-Cairo) also continued to report on human rights abuses throughout 2004 and 2005. [23a-23bx] [61a-61i]

6.2 According to USSD 2004 the "Security forces and associated militias were responsible for extra-judicial killings and disappearances." [3g] (p1) The report also stated that the "Security forces regularly beat, harassed, arbitrarily arrested, and detained incommunicado opponents or suspected opponents of the Government, and there were reports of torture." [3g] (p1) Various human rights groups, including AI, HRW, the World Organisation Against Torture (OMCT), Committee to Protect Journalists (CPJ), Reporters Sans Frontiers (RSF) and SHRO-Cairo reported on specific cases concerning the violation of the human rights of organisations, groups and individuals perceived as government opponents throughout 2004 and into 2005. [11b-11w, 11y-11ae, 11af, 11ai-11aj, 11al] [42a-42d] [32a-32b] [33a-33c] [23e-23k, 23m -23ar, 23at-23au, 23aw-23bx] [61c, 61f-61h] USSD 2004 stated that "Government security forces and pro government militias acted with impunity." [3g] (p1)

The North-South Conflict

6.3 USSD 2004 stated that "In the southern war zone, the SPLM/A [Sudan People's Liberation Movement/Army] controlled large areas of the states of Equatoria, Bahr el Ghazal, and Upper Nile and also operated in the southern portions of the states of Darfur, Kordofan, and Blue Nile. The Government controlled a number of the major southern towns and cities, including Juba, Wau, and Malakal." [3g] (Section 1g) The report also recorded that "A cessation of hostilities, first signed in 2002, was extended and was largely respected during the course of the year [2004], although there were some violations by both sides." The report continued "The Civilian Protection Monitoring Team (CPMT) and the Joint Military Commission operating in

the Nuba Mountains had considerable success in monitoring and curbing serious abuses during the year [2004]." [3g] (p1)

6.4 The CPMT is responsible for investigating allegations of attacks and human rights abuses against civilians in connection with the conflict in the south and the Cessation of Hostilities signed by the Government and the SPLM/A. [60] (p1) The CPMT investigated twenty-eight allegations made against members of the Government's forces or militias between April 2004 and February 2005, of which twenty-six were substantiated, in whole or in part. [60b-60i] [60k-60r] [60t-60v] [60x-60z] [60ad-60ae] [60ag-60ai] [60al]

6.5 The UN's Integrated Regional Information Networks (IRIN) reported in November 2004 that the SPLM/A, Government forces and other armed militias had built up their forces in the Upper Nile region. [15br] (p1) The report added that clashes between armed militias and attacks on villages, purportedly by government forces, had occurred. [15br] (p1) USSD 2004 recorded that, unlike in 2003, there were no reports of a systematic scorched earth policy designed to remove populations from the areas of the oil pipeline and oil production by Government forces or allied militia. [3g] (Section 1a)

Human Rights Abuses Committed by the Sudan People's Liberation Movement/Army (SPLM/A) and Other Armed Factions in South Sudan, including SPLM/A-Controlled Areas

6.6 USSD 2004 recorded that rebel insurgent groups and associated militia forces continued to commit many serious abuses and that there were reports of SPLM/A abuse of citizens' rights in 2004. [3g] (Sections 1a, 1c, 1d, 1f, 1g, 2a, 2d, 6a, 6d) The report stated that "The SPLM/A and allied insurgent forces displaced, killed, and injured civilians, raped women, and destroyed clinics and dwellings intentionally [during 2004]." [3g] (Section 1g)

6.7 USSD 2004 recorded that "There was a rash of violence, with killings committed by both the Government and SPLM/A, in the Shilluk Kingdom after Dr. Lam Akol defected from the government-affiliated SPLM-United to the main SPLM/A." [3g] (Section 1a) CPMT investigated ten allegations against the SPLM/A between April 2004 and February 2005, and substantiated four separate allegations that the members of the SPLM/A had committed attacks, including the killing and wounding of civilians, in June, July and August 2004." [60a] [60j] [60s] [60w] [60aa-60ac] [60af] [60aj-60ak] Since August only one allegation, in February 2005, which concerned the looting of livestock by members of the SPLM/A, was investigated and substantiated by the CPMT. [60aj]

6.8 On 16 February 2005, the UN's Integrated Regional Information Networks (IRIN) recorded that "A memorandum of agreement between the International Committee of the Red Cross (ICRC) and the Sudanese government could soon see more than 750 prisoners held by the southern Sudan People's Liberation Movement/Army (SPLM/A), freed." [15bk]

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North-South Peace Talks & The Comprehensive Peace Agreement (CPA)

6.9 USSD 2004 stated "The regional Intergovernmental Authority on Development (IGAD), under Kenyan leadership, continued to seek an end to the country's 21-year North-South civil war [during 2004]." [3g] (p1) And that "On December 31 [2004], representatives of the Government and the Sudan People's Liberation Movement Army (SPLM/A) initialed a comprehensive peace agreement to be signed formally on January 9, 2005. All of the protocols, including those on wealth-sharing, power-sharing, and the status of the three contested areas were signed in June." [3g] (p1)

6.10 The UN's Integrated Regional Information Networks (IRIN) reported that the government and the SPLM/A had also signed a permanent ceasefire on 31 December 2004. [15bq] Reliefweb, Africa Research Bulletin, the BBC and IRIN recorded, in varying detail, that the Comprehensive Peace Agreement (CPA) was formally signed on 9 January 2005 and later ratified by the parliaments of north Sudan and the SPLM/A on 2 February 2005 and 24 January 2005, respectively. [75] [51] [14w] [14ab] [14af] [14ag] [15a1] [15bn] [15bp] Reliefweb reproduced the text of the CPA and attached the text of all previous agreements to which the CPA referred. [75] These were the Machakos Protocol of 20 July 2002, the Agreements on Security Arrangements and Wealth Sharing, of 25 September 2003 and 7 January 2004 respectively, and the Protocols Power Sharing and the three disputed areas, Southern Kordofan, Blue Nile and Abyei Province, of 26 May 2004. [75] In January 2005, the BBC reported that "The Sudan government has signed a preliminary peace agreement with the main opposition umbrella group, the National Democratic Alliance [NDA]." [14ad] IRIN also produced an article on the NDA-Government of Sudan agreement. [15aq]

6.11 A number of reports, published both before and after the signing and ratifications of the CPA, outlined and discussed the challenges and prospects for a lasting peace between north and south Sudan. [11q] [14ab] [15ar] [23av] [65c] [63b] [52b] IRIN, in January 2005, pointed to the lack of accountability for past crimes - as did Human Rights Watch (HRW), the Sudan Organisation Against Torture (SOAT) and Amnesty International (AI) - the ongoing crisis in Darfur and the insecurity caused by rivalries between the government-backed Nuer and SPLM/A-backed Shilluk tribes in Upper Nile. [11q] [15ar] [23av] The Institute for Security Studies (ISS)'s 2004 African Security Review Vol. 13 No 3 published an article entitled Peace in Sudan - Who will pay the price of principle?' [65c] This article also pointed to the situation in Darfur and the apparent lack of democratic reform in the Navaisha Agreement as potential stumbling blocks to its successful implementation. [65c]

See also Section 6A: Freedom of Assembly and Association/Members and Supporters of Armed Opposition Factions - Central/Southern Sudan and Section 6C: Internally Displaced Persons
Annex B: Sudan People's Liberation Movement/Army and National Democratic Alliance

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The Darfur Conflict

6.12 The Report of the International Commission of Inquiry (ICI) on Darfur to the United Nations Secretary General, which extensively recorded and examined the

Darfur conflict, reported that "The roots of the present conflict in Darfur are complex. In addition to the tribal feuds resulting from desertification, the availability of modern weapons, and the other factors noted above, deep layers relating to identity, governance, and the emergence of armed rebel movements which enjoy popular support amongst certain tribes, are playing a major role in shaping the current crisis." [2c] (p22) USSD 2004 reported that members of the sedentary groups in Darfur, in the form of the Sudan Liberation Army (SLA), in February 2003 inaugurated a campaign of attacks against government installations, police barracks, and Khartoum-installed leaders due to what they perceived as a lack of government protection and marginalisation of their region. [3g] (p11-12) The ICI report stated that

"Most reports indicate that the Government was taken by surprise by the intensity of the attacks, as it was ill-prepared to confront such a rapid military onslaught. Furthermore, the looting by rebels of Government weaponry strengthened their position. An additional problem was the fact that the Government apparently was not in possession of sufficient military resources, as many of its forces were still located in the South, and those present in Darfur were mainly located in the major urban centres." [2c] (p23)

6.13 The report continued, "From available evidence and a variety of sources including the Government itself, it is apparent that faced with a military threat from two rebel movements and combined with a serious deficit in terms of military capabilities on the ground in Darfur, the Government called upon local tribes to assist in the fighting against the rebels. In this way, it exploited the existing tensions between different tribes." [2c] (p24) The ICI found that many Arab nomadic tribes responded to the call with a view, at least in part, to obtaining land for themselves as did tribes from Libya, Chad and other states. [2c] (p24) The report stated that "These new 'recruits' were to become what the civilian population and others would refer to as the 'Janjaweed', a traditional Darfurian term denoting an armed bandit or outlaw on a horse or camel." [2c] (p24)

6.14 Between April 2004 and August 2005 Amnesty International (AI), Human Rights Watch (HRW) and Physicians for Human Rights' (PHR) issued a number of reports on the situation in Darfur. [11y-11ac] [10f] [10g] [10j-10k] [17] The Sudan Organisation Against Torture (SOAT) and the Sudan Human Rights Organisation-Cairo (SHRO-Cairo) reported on abuses against individuals, groups and villages in 2004. [23f-23i] [23k] [23n] [23q] [23t-23u] [23x] [23z] [23ab-23ae] [61b] AI and the World Organisation Against Torture (OMCT), whose information is largely provided by SOAT, also reported on abuses committed in the region. [42d] [42f-42g] [42j-42c]

6.15 News organisations, such as the British Broadcasting Corporation (BBC) and the UN's Integrated Regional Information Networks, closely reported on developments in Darfur throughout 2004 and into 2005. [14t-14u] [14x] [14aa] [14ah-14aj] [14ao] [14f] [15y] [15an-15ap] [15ar] [15au-15av] [15ax] [15bc-15bd] [15bg] Further reports on the continuing crisis were produced by AI, HRW, SHRO and the United Nations between September 2004 and February 2005. [11ah] [11ak] [11u] [11d] [10a] [10c] [10e] [61d] [2c] [2e] [2j] [26] SOAT, AI and the OMCT also continued to produce reports on abuses against individuals, groups and villages in Darfur throughout the same period. [23af-23ah] [23aj] [23am-23ao] [23at-23au] [23aw-23bh] [23bj-23bo] [23bq] [23bs-23bx] [23b] [11aj] [11al] [11s] [11o] [11p] [11b] [42a-42b]

6.16 As of July 2004 the African Union (AU) Cease Fire Commission (CFC) published reports on breaches of the cease fire agreement of April 2004, in which the CFC found that Government of Sudan forces, including allied militias were guilty of committing violations of the cease fire during the period July 2004 to January 2005. [27a-27u] [27x-27ah] [27ak-27bc]

6.17 Many of the human rights reports produced between April 2004 and January 2005 expressed extreme concern at the serious and numerous killings and human rights abuses and atrocities being carried out against the population in Darfur by militia apparently acting systematically, with government support and impunity. National and international human rights organisations, the UN and the US all concurred that human rights abuses continued to occur in Darfur during 2004 and 2005. [61d] [17] [11x] [11ah] [11u] [11d] [10g] [10a] [10e] [2h] [2c] [2e] [2j] [3d-3f] In a report to the United Nations (UN) Security Council in June 2004, the UN Secretary General alluded to the wider implications of the ongoing crisis in west Sudan: "[Similarly,] the catastrophic situation in Darfur is a problem that will make a Sudanese peace agreement much harder to implement." [2g] (p7)

6.18 The US Department of State released a report on its investigation of the human rights abuses being committed in Darfur in September 2004 and, alluding to this report, USSD 2004 claimed that "Information available by September 9 indicated that genocide had been committed in Darfur, and the Government and the jinjaweed bore responsibility." [3e] [3g] (Section 1a) However, the January 2005 ICI report concluded that, although serious human rights abuses were committed and some of the perpetrators may have acted with genocidal intent, genocide itself had not occurred:

"The Commission concluded that the Government of the Sudan has not pursued a policy of genocide. Arguably, two elements of genocide might be deduced from the gross violations of human rights perpetrated by Government forces and the militias under their control. These two elements are, first, the *actus reus* consisting of killing, or causing serious bodily or mental harm, or deliberately inflicting conditions of life likely to bring about physical destruction; and, second, on the basis of a subjective standard, the existence of a protected group being targeted by the authors of criminal conduct. However, the crucial element of genocidal intent appears to be missing, at least as far as the central Government authorities are concerned. Generally speaking the policy of attacking, killing and forcibly displacing members of some tribes does not evince a specific intent to annihilate, in whole or in part, a group distinguished on racial, ethnic, national or religious grounds. Rather, it would seem that those who planned and organized attacks on villages pursued the intent to drive the victims from their homes, primarily for purposes of counter-insurgency warfare." [2c] (p4)

6.19 The UN Secretary General's (UN SG) report of 4 February 2005 stated that "The past six months have seen the Government progressively implement some of the elements from a range of obligations in the security, human rights, humanitarian and political spheres. Progress has been neither steady nor even and some areas have been completely neglected." [2e] (p2) HRW's November 2004 report entitled "'If We Return, We Will Be Killed' Consolidation of Ethnic Cleansing in Darfur", Sudan recorded that

“After more than twenty months of conflict in the Darfur region of western Sudan, the situation is more complex and volatile than it has ever been. Despite an April 2004 ceasefire signed by the two main rebel groups—the Sudan Liberation Army Movement (SLA/M) and the Justice and Equality Movement (JEM)—and the government, and the presence of 136 African Union (A.U.) ceasefire observers, protected by 625 A.U. troops, attacks on civilians and ceasefire violations continue on a daily basis.” [10a] (p7)

6.20 AI’s October 2004 report, *Civilians Still Under Threat in Darfur*, recorded that

“[AI] Delegates spoke to hundreds of displaced persons in camps or towns in North, South and West Darfur and in the capital, Khartoum. Similar accounts were repeated over and over again: the arrival of armed men, often described as wearing khaki and accompanied by members of the Sudanese army, who attacked villages, burned homes, and looted herds and goods. Villagers were killed and in many villages women were raped and carried off for days into sexual slavery. Some have not yet returned. In some areas the Sudanese air force used Antonov planes, MIG jet fighters or helicopter gunships to bomb towns or villages. Testimonies indicate that bombing attacks continue.” [11ah] (p2)

6.21 USSD 2004 reported that “Fighting in Darfur destroyed hundreds of villages as well as cattle and other property. Both government-affiliated and rebel forces were guilty of looting and razing villages and IDP camps (see Section 1.g.).” [3g] (Section 1f) UN SG’s report stated that “The Government has informed the United Nations and others of a limited number of prosecutions and convictions of Janjaweed and members of regular and semi-regular security forces, but they apparently were not persons with leadership responsibility for major human rights abuses.” [2e] (p4) Thus, the report recorded that the “Disarmament and arrest of the perpetrators of these brutal acts is the single most important demand of the Council and the clearest case of failure by the Government to live up to its responsibilities.” [2e] (p2)

6.22 HRW and AI concurred that impunity remained a major problem, with HRW stating that

“While there has been growing international pressure on the Sudanese government to disarm the Janjaweed, little or no progress has been made on this front. Instead, militia leaders who participated in atrocities and government officials who directed or sanctioned such abuses remain in place, sometimes in high-level positions. Given this glaring impunity, their emboldened followers continue to rape, loot, and pillage with no fear of sanction or other consequence.” [10a] (p8) [11ah] [11u] [11d]

6.23 UN SG’s February 2005 report recorded that “On the eve of the next round of talks in Abuja on 7 December [2004], the Government began a series of offensive operations it termed ‘road clearing’, in particular in Southern Darfur. In fact, these operations, which included de facto coordination with militia, involved not only clearing the roads, but ground up to 20 km on each side. The ‘clearing’ involved the burning of villages and looting, causing additional displacement. It ceased in mid-December.” [2e] (p3) However, the report added that, despite the government’s

agreement not to perform a similar operation in North Darfur, in mid-January such activities resumed, apparently in tandem with militia attacks, "So a pattern arose of a combination of military and militia forces attacking rebel positions and burning villages. The attack on Hamada village on 13 January 2005 represented a particularly severe case, with large numbers of women and children killed." [2e] (p3)

See also Section 5: The Judiciary/North, South and West Darfur;
Section 6A: Freedom of Assembly and Association/Members and Supporters of Armed Opposition Factions - Darfur; Section 6B: Ethnic Groups/Darfur; Section 6.C: Internally Displaced Persons/Darfur and Refugee Movement within Neighbouring Countries

Human Rights Abuses Committed by Opposition Factions in Darfur

6.24 USSD 2004 stated that "There were reports of Sudanese Liberation Army (SLA) and Justice and Equality Movement (JEM) killings in Darfur." [3a] (p4) UN SG's February 2005 report recorded that "The Sudan Liberation Movement/Army (SLM/A) sought to claim a wider area of Darfur as being under their control, taking positions along several routes of strategic importance. This led to greater insecurity on the roads and a rise in commodity and transport costs." [2e] (p3) The report also stated that, in November 2004, "They [the Government of Sudan, SLM/A and the Justice and Equality Movement (JEM)] pledged an end to attacks and committed themselves to ending reprisals or retaliation for acts that had taken place before the agreement. In spite of this opportunity, November [2004] saw SLM/A aggressively violating its commitment to the protocol in a marked rise in attacks against police positions." [2e] (p3)

6.25 Human Rights Watch released a report in April 2004 entitled 'Darfur in Flames: Atrocities in Western Sudan' which cited the abuses committed by the SLA and the JEM. [10f] Amnesty International's reports, 'Sudan: Civilians Still Under Threat in Darfur' and 'Sudan: Darfur: What hope for the future?' published in October 2004 and December 2004 respectively, also recorded abuses committed by the SLA. [11ak] [11d] As of July 2004 the African Union (AU) Cease Fire Commission (CFC) published reports on breaches of the cease fire agreement of April 2004, in which the CFC found that the rebel SLM/A, JEM the National Movement for Reconstruction/Reform and Development (NMRD) were guilty of committing violations of the cease fire during the period July 2004 to January 2005. [27a-27u] [27x-27ah] [27ak-27bc]

See also Section 6B: Ethnic Groups/Darfur;
Annex B: Justice and Equality Movement, National Movement for Restoration/Reform and Development and Sudan Liberation Movement/Army

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Darfur Peace Talks

6.26 In August 2004, IRIN and the BBC reported on the troubled Darfur peace talks. [14n-14o] [15w-15x] that the "Two rebel groups [the Sudan Liberation Movement/Army (SLM/A) and the Justice and Equality Movement (JEM)] and Sudan's government are attending fresh talks to try to end conflict in the Darfur region, which is in the grip

of a humanitarian crisis....Previous talks collapsed in July when the rebels walked out after the government refused to meet their terms." [14n] (p1) However, the BBC reported only six days later on 29 August 2004 that the talks were halted "On Saturday [when] the rebels staged a 24-hour walkout, to protest against what they said were new government attacks in Sudan's conflict-torn western region." [14o] (p1) IRIN also reported on the talks on 26 August 2004 in a report entitled 'Darfur peace talks make sluggish progress.' [15w] IRIN also stated in a report dated 30 August 2004 that the rebels walked out because of the killing of 75 civilians in six villages by the pro-government Janjawid militia. [15x] (p1)

6.27 In September 2004 the BBC reported that the Government of Sudan refused to continue negotiating with the JEM due to its alleged links to Hassan al-Turabi's Popular (National) Congress (PC/PNC) Party and the coup the government claimed the PNC had attempted in early September 2004. [14r] The report stated that the Government was willing to continue talks with the SLM/A. [14r] In November 2004, IRIN and the BBC reported that there had been a breakthrough in the peace talks, due to African Union (AU) proposals on security in Darfur. [15bb] [15az] [14ap] Protocols on humanitarian access and security in the region were adopted by the Government, SLM/A and the JEM, despite the government's earlier refusal to participate in talks with the JEM, in Abuja, Nigeria on 9 November 2004 and published on the AU web site. [27v-27w]

See also Section 6A: Freedom of Assembly and Association/Members and Supporters of the Popular National Congress;
Annex B: Justice and Equality Movement and Popular National Congress

6.28 The fourth round of the Inter-Sudanese Peace Talks on Darfur resumed on 11 December 2004 but, according to IRIN, faltered after only three days when the SLM/A and JEM withdrew in protest at ceasefire violations by government forces. [27ai] [15aw] The JEM had also demanded the release of all of its members who were in prison, and IRIN also stated that African Union monitors had in fact recorded ceasefire violations by both sides. [15aw] The African Union reported that the fourth round of the Talks officially closed on 21 December 2004, with a commitment by the Government, SLM/A and the JEM to respect the ceasefire of April 2004, the Protocols of November 2004, and to seek a peaceful solution to the conflict. [27aj] However, IRIN reported that little progress had been made and, although the parties had recommitted themselves to the ceasefire, the AU's chief ceasefire monitor had reported, given that there had been a massive influx of arms and ammunition, more fighting was inevitable. [15aa]

6.29 AI's October 2004 report stated that

"The lack of substantial progress in the peace process means that the conflict could further escalate and that the fragile humanitarian situation could deteriorate even beyond the present emergency situation. If the Sudanese government and armed opposition groups fail to reach a political agreement or incorporate human rights safeguards, there is a strong possibility that a protracted conflict accompanied by violations of international humanitarian law will affect most of Darfur in the years to come." [11j] (p3)

6.30 On 28 February 2005 the UN published the 'Report of the independent expert on the situation of human rights in the Sudan, Emmanuel Akwei Addo'. [2j] The report recorded the continuing human rights abuses committed against internally displaced persons (IDPs) in Darfur and the particular threat of violence, including rape, against women. [2j] (p9-11, 13, 14-15) The report stated that "The Darfur peace proces is in jeopardy, as rebels walked out of talks in Abuja in protest against two weeks of onslaught by the Government. The situation in the region seems to be deteriorating sharply. The rebels have grown more intransigent, and security on the ground is getting worse." [2j] (p3)

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Freedom of Speech and the Media

6.31 Article twenty-five of the 1998 Constitution of the Republic of Sudan states "Everyone shall have the right to freedom of expression, to receive information, to publish and there shall be freedom of the press, subject to restrictions necessary to security, public order, public safety, public morals and in accordance with law." [4j] (p4)

6.32 The Committee to Protect Journalists recorded only one incident of harassment of members of the press in 2004 and "No cases [in 2005]." [32b-32a] However, the US State Department's Human Rights Report for 2004 (USSD 2004), which was published on 28 February 2005, recorded that the Sudanese Government severely restricted the right to freedom of expression [during 2004]. [3g] (Section 2a) In September 2004, the Sudan Organisation Against Torture (SOAT) recorded that "The National Security Forces (NSA) has stepped its campaign of attacking and restricting the media and freedom of expression in Sudan." [23brj] (p1) Additionally, SOAT produced a newsletter every two months that detailed various human rights abuses, including incidents involving the suppression or denial of freedom of expression. [23bt-23bx] Between May 2004 and February 2005, every issue contained information on the restriction of the media, or on the harassment, detention or arrest of members of the press. [23bt-23bx]

6.33 USSD 2004 stated that "The Government exercised control of news reporting, particularly of political topics, the war, and criticism of the Government--particularly regarding government actions and policies in Darfur, through the National Press Council and security forces." [3g] (Section 2a) Freedom House's (FH) Freedom of the Press 2004: Global Survey of Media Independence recorded that "National security legislation empowers authorities to conduct prepublication censorship, confiscate or ban publications, and detain journalists. As a result, many journalists practice self-censorship." [54a] (p171-172)

6.34 USSD 2004 concurred, "Journalists were arrested and detained during the year (see Section 2.a.)." [3g] (Section 1a) The report also stated that "Journalists practiced self censorship, and the Government confiscated entire issues of newspapers if it objected to an article." [3g] (Section 2a) FH's Survey ranked Sudan as forty-fifth of the forty-eight countries in Sub-Saharan Africa and one hundred and eighty-fourth in the world in terms of press freedom. [54a] (p11, 12)

See also Section 6A: [Freedom of Speech and the Media/Journalists](#)

Sudan People's Liberation Movement/Army (SPLM/A)-Controlled Areas and Areas Controlled by Other Opposition Factions

6.35 USSD 2004 stated that "The SPLM/A and the umbrella opposition National Democratic Alliance provided few opportunities for journalists to report on their activities. The SPLM/A restricted the freedom of speech among populations under its control." [3g] (Section 2a)

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Newspapers

6.36 USSD 2004 stated that

"There were a large number of daily newspapers, mainly in urban areas, and differing political views were reflected to some extent. Several newspapers also reprinted articles from the international press, some of which were critical of government policies. There was one formally government-controlled newspaper in Arabic and one in English, although security services also controlled other newspapers. A number of independent publications were under intensive scrutiny during the year and experienced intimidation, interruption, and arrest of their editors." [3g] (Section 2a)

6.37 Reporters Sans Frontiers' (RSF) 2004 Annual Report, FH's 2004 Global Survey of Media Independence and the International Federation for Human Rights (FIDH) and the Sudan Organisation Against Torture's (SOAT) May 2004 Report, 'Sudan: One step forward, many steps back' all recorded President al-Bashir's August 2003 decree lifting press censorship. [33a] (p1) [54a] (p172) [22] (p24) RSF's Report recorded "But the security services refused to comply with this attempt to clip their wings and used their ally, the government prosecutor in charge of subversion crimes, Mohammed Farid Hassan, to defy decisions by the justice ministry and the National Press Council." [33a] (p1) RSF reported that the security forces continued to detain and harass journalists and editors after the decree. [33a] (p2, 4-5) All the bans mentioned in RSF's 2004 report after September 2003 were, according to the report, instigated or lengthened due to the actions of the subversion prosecutor, Hassan. [33a] (p4-5)

6.38 FIDH and SOAT's May 2004 Report claimed that "This exercise [the lifting of press censorship] became a moot point as the NSA continued its activities against the press in less than three weeks of the issuing of the decree." [22] (p25) The report also recorded the involvement of Mohammed Farid Hassan in the continuation of press repression "In further steps, the security forces, in close collaboration with the 'Crimes against the State' prosecutor, Mr Mohamed Farid, have started implementing a new policy of harassing the media and 'the press', by introducing a new suspension policy for long periods under the excuse of 'until the investigations are finished'." [22] (p25) FH's 2004 Survey also recorded the continued repression of the Sudanese press, following the decree. [54a] (p172)

6.39 SOAT's September 2004 report stated that "As of 11 September 2004, 'Pre-

censorship' has been imposed by the NSA. Chief Editors of all Sudanese news papers have been instructed not to report any news concerning the situation in Darfur or the National Popular Congress (PNC), headed by Hassan Al Turabi, with the exception of information released by the government." [23br] (p1) USSD 2004 also recorded that "Newspapers were prohibited from publishing articles about the war with the exception of information provided by the Ministry of Defense or official government statements. Nevertheless, the local press did report the findings of the CPMT investigations." [3g] (Section 2a)

6.40 SOAT also reported that "The newspaper [Al-Mushahid] was confiscated [on 18 January 2005] following the publication of a poem by the poet Hashim Siddig on 17 January 2005." [23as] (p1) The NSA had resumed the 'pre-censorship' policy of reviewing and ordering the removal of articles prior to the printing of newspapers, or confiscating all copies of an edition prior to distribution, in September 2004. [23br] (p1) [23as] (p1) The US State Department Religious Freedom Report for 2004 (USSD RF 2004), released on 15 September 2004, reported that "Newspaper suspensions continue, but not specifically for religious reasons as in the period covered by the previous report. For example, any mention of Darfur has been the main excuse for shutting down the press, including the English-language Khartoum Monitor, as well as numerous Arabic papers." [3f] (Section II)

Television, Radio and the Internet

6.41 USSD 2004 reported that "The Government directly controlled radio and television and required that they reflect government policies." [3g] (Section 2a) FH's 2004 report concurred, "Domestic broadcast media are directly controlled by the government and are required to reflect official views, though some foreign programs are available." [54a] (p171) USSD RF 2004 recorded that, "In the south, there are reportedly three television stations featuring a number of Christian programs." [3f] (Section II)

6.42 USSD 2004 stated that "Television has a permanent military censor to ensure that the news reflected official views. During the year [2004], the first private FM radio station began operating in Khartoum, broadcasting music. The Government often charged that the international, particularly the Western, media had an anti Sudan and anti Islam bias. Some foreign radio broadcasts were available in the country." [3g] (Section 2a) The British Broadcasting Corporation's (BBC) January 2005 Country Profile on Sudan also recorded that the Government retained control of the Sudanese media. [14b] (p2)

6.43 USSD 2004 noted that "In spite of the restrictions on ownership of satellite dishes, citizens had access to foreign electronic media; the Government did not jam foreign radio signals. In addition to domestic and satellite television services, there was a pay cable network, which directly rebroadcast uncensored foreign news and other programs." [3g] (Section 2a) According to the BBC's January 2005 Profile, "Satellite dishes are becoming common in affluent areas and pan-Arab TV stations are popular among viewers." [14b] (p2)

6.44 FIDH and SOAT's May 2004 Report 'Sudan: One step forward, many steps back' reported that there is some room to provide for an alternative voice in the area

of radio broadcasting, but that:

"Otherwise, state owned media is predominantly used as a 'propaganda' tool rather than an informative medium. Radio and television, at the regional level, have the same policy of an attuned 'one voice' and the non-existence of any alternative views. The different ethnic, religious, cultural diversities of Sudan are not represented or given a chance to share or express any information, views or concerns they have." [22] (p24)

6.45 USSD 2004 stated that "The Government did not restrict access to the Internet." [3g] (Section 2a) However, on 9 July 2004, the Sudan Organisation Against Torture (SOAT) reported that "As of 12.30pm on Wednesday, 7 July 2004, the internet site, Sudanese Online has been blocked from viewing....Allegedly, the [National Security Agency's] order [to block the site] was due to continued publication of news, reports and discussions by the website that were deemed a national security threat." [23i] Amnesty International, in an August 2004 report on 'Intimidation and denial: Attacks on freedom of expression in Darfur', also reported on the blocking of the website stating that "In July 2004 this outlet was briefly closed by the government." [11o] (p5)

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Journalists

6.46 USSD 2004 recorded that "The Government commonly employed the tactic where state's attorneys summoned the editors of newspapers and detained them all day so that they could not do their work." [3g] (Section 2a) The Committee to Protect Journalists (CPJ), Reporteurs Sans Frontiers (RSF) and the Sudanese human rights organisation, SOAT, all reported on incidents of varying levels of censorship and harassment, including the imprisonment of the editor of the daily 'Al-Sahafa', during 2004 and 2005. [32a-32b] [33a-33c] [23w] [23bi] [23br] [23bt-23bx]

6.47 The International Federation for Human Rights (FIDH) and the Sudan Organisation Against Torture's (SOAT) May 2004 report, 'Sudan: One step forward, many steps back', reported that Bol fled to Kenya following several arrests and detentions. [22] (p25) The report alleged that "He also had an assassination attempt on his life." [22] (p25) The CPJ's Cases 2004: Middle East and North Africa reported that "A Sudanese criminal court handed down a one-month prison sentence to Islam Salih, Al-Jazeera's bureau chief in Sudan." [32b] (p1) RSF reported on 27 April 2004 that Islam Salih was fined 1 million Sudanese pounds and sentenced to one month in prison but was released on 25 April 2004 after serving only half of his sentence. [33b] (p1)

6.48 SOAT reported, in May 2004, on the harassment via the summons and short-term detention of seven journalists in connection with an article on the economic stability of Sudan. [23w] A May 2004 RSF article also covered the incident in more detail. [33c] The RSF report stated that the editor-in-chief was one of five detained and that:

"[The] Al-Azmina journalists were interrogated by security forces and detained for more than 30 hours, before being released on bail late on 24 May after questioning by the crimes against the state attorney. They were ordered to report for further investigations by the prosecutor for crimes against the state on 27 May." [33c]

6.49 Both the RSF article and the SOAT report stated that five other journalists were detained twice for short periods of between thirty minutes and eight hours in as many days. [33c] [23w] The May 2004 RSF report recorded that all five were members, including the chairperson, of the press freedom defence committee set up on 4 May 2004 and that "Before releasing the five being held, the security forces banned them from using the name of their committee and ordered it to be banned. Newspaper editors were also prevented from publishing any report in the name of the committee." [33c] USSD 2004 reported that "Security forces summoned the chief editor of Al-Sahafa, and the chief editor of Al-Wan was detained for 18 days during September." [3g] (Section 2a)

6.50 SOAT reported on the detention and harassment of a number of journalists in September 2004, and the arrest and detention of a newspaper editor in November 2004. [23br] [23bi] SOAT recorded that the newspaper editor had previously been arrested on suspicion of supporting the Popular National Congress (PNC), and that the government reportedly believed him and his newspaper, Alalwan, to be the unofficial organs of the PNC. [23bi] (p1)

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Freedom of Religion

6.51 Article twenty-four of the 1998 Constitution of the Republic of Sudan states:

"Everyone has the right to freedom of conscience and religion and has the right to manifest and disseminate his religion or belief in teaching, practice or observance. No one shall be coerced to profess a faith in which he does not believe or perform ritual or worship that he does not voluntarily accept. This right shall be exercised in a manner that does not harm public order or the feelings of others, and in accordance with law." [4] (p4)

6.52 The US State Department Religious Freedom Report for 2004 (USSD RF 2004), released on 15 September 2004, reported that "The Constitution provides for freedom of religion; however, in practice the Government continues to place many restrictions on non-Muslims, non-Arab Muslims, and Muslims from tribes or sects not affiliated with the ruling party." [3f] (p1) USSD RF 2004 also recorded that

"While it remains to be seen what effect the Naivasha Protocols and other agreements will have in practice, these agreements clearly establish the principle of freedom of religion throughout the country and grant specific states (including those covered by the protocols: Southern Kordofan/Nuba Mountains, Abyei, and Upper Blue Nile) powers over judicial and social matters and primary and secondary education to ensure this in practice at the state and local level." [3f] (p1)

6.53 USSD 2004 also stated that "Various governmental bodies have decreed that women must dress modestly according to Islamic standards, including wearing a head covering." The report continued that "At times police on university campuses are stricter about women following a dress code, but women are often seen in public wearing trousers or with their heads uncovered. These acts are violations of regulations against indecency, but the Public Order Police generally only issued warnings for improper dress." [3g] (Section II) USSD RF 2004 reported that

"There continued to be improved dialogue and interaction between Muslims and Christians through SIRC [Sudan Inter-Religious Council], although feelings of mistrust and lack of confidence remained among non-Muslims. Different religious groups also conduct dialogue through the SCC. There were several conferences on religion hosted by international NGOs that resulted in spirited discussion but reached no consensus, particularly on the interpretation and application of Shari'a law and its prescribed Hudud punishments. Catholic Church officials continued to have doubts about working with the SIRC because they believe it is totally government-controlled, it does not represent grassroots communities, and its board is made up of selected Muslim clergy and SCC staff who make all the decisions." [3f] (Section III)

See also Annex E: Religions of Sudan

Abuse and Restriction of Religious Freedom

6.54 FH's report stated that "Under the 1994 Societies Registration Act, religious groups must register in order to gather legally. Registration is reportedly difficult to obtain. [54b] (p63) USSD RF 2004 reported that

"Religious organizations and churches are subject to the same restrictions that are placed on nonreligious corporations. Religious groups, like all other organizations, are supposed to be registered to be recognized or to assemble legally. However, registration reportedly is no longer necessary; and the churches, including the Catholic Church, have declared they are not nongovernmental organizations (NGOs) and declined to register." [3f] (Section II)

6.55 The report also stated that "The Guidance and Endowment Minister has denied building permits to most non-Muslim religious groups, alleging that local restrictions prohibit building places of worship in residential neighborhoods due to considerations of noise, numbers of worshippers, and other factors. The last permit was issued around 1975." [3f] (Section II) USSD RF 2004 recorded that "The Khartoum State government continues the practice of razing the residences and temporary religious buildings constructed by IDPs, although at times the Government has razed the houses and spared makeshift churches. [3f] (Section II)

6.56 USSD RF 2004 reported that "The Government considers itself an Islamic government, and Islamization is an important objective. Muslims may proselytize freely in government-controlled areas. The Government has been less restrictive of Christian groups with an historical presence in the country and also in areas controlled by the Sudan People's Liberation Army (SPLA) in the south." [3f] (Section II)

The report continued

"While non-Muslims may convert to Islam, the law makes apostasy (conversion from Islam to another religion) punishable by death. The Government continued to restrict the activities of Christians, followers of traditional indigenous beliefs, and other non-Muslims, although two Jehovah's Witnesses confirmed their increased ability to move around the country and open places of worship without restriction. The Government restricts at least one Islamic group, Taqfir al-Hijra, which conducted violent acts against other Muslims." [3f] (Section II)

6.57 USSD RF 2004 reported that

"Security forces hold wide authority and monitor both churches and mosques. Security and police forces have not detained persons because of practicing their religious beliefs and have not interfered with actual religious worship, which are not illegal activities. Christian women are still arrested for making and distributing homemade brews, but the Government claims the arrests are made only because alcohol is illegal and violates criminal law. There have been complaints about the public order police (religious police) jumping walls and entering non-Muslim houses to check for alcohol. These police have been known to harass non-Arab Muslims, as well. The public order police have the security forces' support but have been less invasive than in previous years." [3f] (Section II)

6.58 USSD RF 2004 stated that "Although the Government has not interfered with actual worship and does not arrest or detain persons for practicing their religion per se, it treats its form of Islam as the state religion and has declared that Islam must inspire the country's laws, institutions, and policies. The Constitution provides that, "Shari'a and custom are the sources of legislation." [3f] (Section II) The report also stated that "Non-Muslims and a large number of Muslims are outspoken about their unease with the general application of Shari'a law to their communities, especially but not limited to non-Muslims." [3f] (Section II) USSD RF 2004 recorded that "In the last year, there were a number of sentences of flogging and cross-amputation, but few were carried out. However, in Darfur, these sentences are given to non-Muslims as well as Muslims. According to officials, under Hudud [law] there must be four witnesses to adultery." [3f] (Section II)

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Forced Religious Conversion

6.59 According to USSD RF 2004,

"Although some non-Muslims have converted under pressure to obtain or keep a job, for promotions and job advancement, or for other social services or benefits, there was no evidence of such forced conversions in the period covered by this report. However, some church leaders say that security forces in the south, in an attempt to garner votes for the referendum on north-south unity scheduled to be held 6 years after the peace agreement is signed, are rewarding persons for converting to Islam and that the Government's military

forces are forcing some conversions to Islam." [3f] (Section II)

6.60 The report also stated that

"Abandoned children taken off the streets are considered to be Muslim regardless of their origin, but the Government does not view this assumption of religion as forced conversion. Some Christians report pressure on their children in school as the teachers and other parents ask them why they are not Muslims. Teachers and media characterize non-Muslims as non-believers. In the south, non-Muslim widows whose husbands were killed in the war receive no benefits, while Muslim widows may qualify for land and government benefits or for assistance from Islamic charities; some women are believed to have converted to be eligible for such private or governmental assistance." [3f] (Section II)

South Sudan, including Sudan People's Liberation Movement/Army (SPLM/A)-Controlled Areas

6.61 USSD RF 2004 reported that "The Government officially exempts the 10 southern states, in which the population is mostly non-Muslim, from Hudud law--the part of Shari'a which permits physical punishments, including flogging, amputation, and stoning." [3f] (Section II) USSD 2004 reported that "In SPLM/A controlled areas, Christians, Muslims, and followers of traditional indigenous beliefs generally worshiped freely; however, many of the region's Muslim residents have departed voluntarily over the years. The SPLM officially favored secular government; however, Christians dominated the SPLM, and local SPLM authorities often had a very close relationship with local Christian religious authorities." [3g] (Section 2c)

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Freedom of Assembly and Association

6.62 Article twenty-six (2) of the 1998 Constitution of the Republic of Sudan states "All citizens have the right to organize political succession. This right may only be limited by the conditions of shura, democracy in the leadership of the organization and the duty to campaign non-violently for their organization without using material wealth and bound by the provisions of the constitution and in accordance with law." [4] (p4)

6.63 The US State Department Human Rights Report for 2004 (USSD 2004), published on 28 February 2005, stated that

"The Government severely restricted the right to freedom of association. There were 20 officially registered political parties; however, the law includes restrictions that effectively prohibit traditional political parties if they were linked to armed opposition to the Government. The Political Parties Act allows some formerly banned political parties to resume their activities; however, the parties were required to notify the registrar in writing to participate in elections. Observers believed that the Government controlled professional associations." [3g] (Section 2b)

6.64 The same report recorded that "The major opposition political parties for the most part remained marginalized from the political process; however, as the peace negotiations progressed during the year, opposition parties became more vocal in their demand for inclusion, and the Government sought the support of some to add legitimacy to the agreements." [3g] (Section 3)

6.65 Following an alleged coup attempt by the Popular National Congress (PNC), both IRIN and the Sudan Human Rights Organisation's Cairo branch (SHRO-Cairo) in late September 2004 described the repressive security measures in place in the capital at that time. [15n] [61i] SHRO-Cairo stressed the Organisation's concern at the security measures in Khartoum and stated that "The Organisation is also concerned for the 'bad faith nature' of these measures that suggest massive political suppression rather than lawful police work." [61i] (p2)

See also Section 6A: Freedom of Assembly and Association/Members and Supporters of People's National Congress (PNC/PC);
Annex B: Popular National Congress

Meetings and Demonstrations

6.66 USSD 2004 reported that "All rallies and public demonstrations in the country are banned, and no permits were authorized or issued. The authorities generally permitted only government-authorized gatherings and routinely denied permission for or disrupted gatherings they perceived were politically oriented. The Government used the state of emergency as an excuse to restrict gatherings." [3g] (Section 2b) USSD 2004 also reported that the Islamic order Khatimia, which is associated with the Democratic Unionist Party (DUP), and the Islamic order Ansar, which is associated with the Umma Party (UP), both continued to be denied permission to hold large public gatherings during most of 2004. [3g] (Section 2b)

6.67 USSD 2004 recorded that the "Security forces used excessive force, including beatings, tear gas, and firing of live ammunition to disperse unapproved demonstrations. For example, in Khartoum, at least 10 persons were injured late in the year when riot police using tear gas and batons broke up a demonstration by students from Darfur, who were asking for an end to the violence there." [3g] (Section 2b) And that "No action was taken against security forces who used excessive force in 2003 or 2002." [3g] (Section 2b) In late January and early February 2005, the BBC, SHRO-Cairo, AI, IRIN and SOAT all reported on the killings and arrests of demonstrators in Port Sudan, east Sudan when the demonstration against socio-economic and political marginalisation turned violent. [14z] [61f] [11c] [11e] [15be] [23al] [23ak]

See also Section 6A: Freedom of Assembly and Association/Members and Supporters of Armed Opposition Groups - East Sudan;
Annex B: Beja Congress

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Political Activists

6.68 According to USSD 2004 "There were no reports of politically motivated killings by the Government or its agents; however, there were reports of numerous extrajudicial killings (see Section 1.g.)." [3g] (Section 1a) The report continued

"There were reports that security forces tortured, detained without charge, and held incommunicado political opponents (see Sections 1.a and 1.c.) Detentions of such persons generally were prolonged....Security forces frequently harassed political opponents by summoning them for questioning, forcing them to remain during the day without questioning, and then ordering them to return the following day--a process that sometimes continued for weeks." [3g] (Section 1d)

USSD 2004 recorded that "There were reports of political prisoners. A considerable, but unknown, number of persons were imprisoned for political reasons but on ostensibly non-political charges." [3g] (Section 1e)

6.69 According to the International Federation for Human Rights (FIDH) and the Sudan Organisation Against Torture's (SOAT) May 2004 Report, 'Sudan: One step forward, many steps back' "Students remain the prime target of the NSA [National Security Agency], and are the most politically active group in the population that continue to be subjected to torture on a systematic pattern within the proscribed [sic] timescale for this report, March 2003 to March 2004." [22] (p27) The report described the risks faced by politically active students who were in opposition to the authorities:

"This violence could involve clashes during protests resulting in physical damage; including bruised and broken bodies and physical and psychological torture during detainment by the security agencies, including punching and kicking to the body, utilisation of torture instruments such as hose pipes, and the issuance of death threats." [22] (p27)

6.70 FIDH and SOAT's May 2004 report stated that "Arbitrary arrests and harassment of political activists by the security forces continued all over the country." [22] (p30) The report acknowledged that "Positive steps were taken, for example where there were mass releases of political prisoners in Khartoum and Darfur, following an agreement between the SLA and GoS [Government of Sudan] in Abache, Chad in September 2003. [22] (p30) Over 100 political activists were released in Khartoum and in Darfur." However, the report continued, "In spite of this progress, the situation has almost reversed; members of the PNC and other political parties continue to face harassment and arbitrary arrests." [22] (p30)

6.71 According to numerous reports by human rights organisations, including Amnesty International (AI), the Sudan Human Rights Organisation-Cairo (SHRO-Cairo) and the Sudanese Organisation Against Torture (SOAT), throughout 2004 and early 2005 the arrest of political opponents, including party members of Darfurian origin, and of persons believed to support the rebel groups in Darfur, reportedly continued. [11d-11e] [11h] [11n-11s] [11ab-11ac] [11ae] [11aj] [11al] [11o-11s] [11b-11c] [11e] [23k] [23n] [23aa] [23al] [23ak] [23aq-23ar] [23af-23ah] [23aj] [23an-23ao] [23au] [23ay-23az] [23bb] [23bd] [23bj] [23bm-23bo] [23bq] [23bs] [42e] [42h] [42k] [42c] [42a-42b] [61b] [61f] [61h] [61i]

6.72 In August 2004, the Sudan Human Rights Organisation-Cairo (SHRO-Cairo)

reported that Ibrahim al-Sheikh, a leading member of a national group called Nida' Darfur (The Darfur Call) and PNC activist, had been detained along with other members of Nida' Darfur. [61c] The other members included Yousif Hussain, a Sudanese Communist Party (SCP) activist and Hassan 'Abd al-Gadir Hilal, a DUP activist. [61c] Amnesty International recorded on 20 December 2004 that Abdelaziz Khalid Osman, a 60-year old political opponent of the Sudanese government had been released on 18 December 2004 after his extradition from the United Arab Emirates. [11n] The report continued "According to the news agency Agence France-Presse (AFP), Abdelaziz Khalid Osman was granted an amnesty by President Lieutenant General Omar Hassan Ahmad al-Bashir following a commitment not to resume an armed struggle against the regime." [11n]

6.73 USSD 2004 stated that "High ranking political prisoners reportedly often enjoyed better conditions than did other prisoners." [3g] (Section 1c) And "On occasion, courts displayed a degree of independence. For example, appeals courts overturned several decisions of lower courts in political cases, particularly decisions from public order courts. However, political interference with the courts regularly occurred." [3g] (Section 1e) The report also stated that "Security forces frequently conducted night searches without warrants and targeted persons suspected of political crimes." [3g] (Section 1e) And that "Unlike in the previous year, there were no reports that security personnel routinely opened and read mail or monitored telephones, and there were no reports of government forces occupying political party or NGO offices." [3g] (Section 1f)

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Members and Supporters of the Popular/People's National Congress (PNC/PC)

6.74 USSD 2004 recorded that "Hassan al-Turabi's PNC remained a proscribed political organization." [3g] (Section 3) The UN's Integrated Regional Information Networks (IRIN) stated on 9 September 2004 that "The government last year [2003] accused Turabi of sedition and claimed that his party was supporting the rebel Justice and Equality Movement in the western region of Darfur. The movement claims to be fighting to end the marginalisation of the area. Turabi, whose party was banned in March [2004], has been under house arrest." [15m] (p1)

6.75 On 9 September 2004, IRIN and the Sudan Human Rights Organisation's Cairo Branch (SHRO-Cairo) reported that at least between fourteen and thirty-three political activists and military personnel had been arrested in connection with an alleged conspiracy to overthrow the government. [15m] [61h] SHRO-Cairo reported that "Other sources indicated that the number exceeded that figure [thirty-three]." [61h] (p1) On 15 September 2004, the British Broadcasting Corporation (BBC) reported that the PNC's representative had denied the party's involvement in an alleged coup plot and that "Some 70 PNC [Popular National Congress] members have been arrested since Friday [10 September 2004] and one has died in detention, he said." [14ag] (p1)

6.76 The BBC report also recorded that "Security forces say they seized 100 Kalashnikovs, 10 RPG mortars and other weapons from an arms cache in a suburb of the capital Khartoum over the weekend." [14ag] (p1) SHRO-Cairo claimed that extremist elements within the ruling regime had pursued the arrests to halt attempts

by more moderate elements to reconcile the National Islamic Front and the PNC whilst the PNC's Europe representative told the BBC he believed that the government was trying to deflect attention away from the ongoing crisis in Darfur. [61h] (p1) [14ag] (p1)

6.77 USSD 2004 recorded that "In September, two men died while in government custody after being arrested in a crackdown on supporters of Hassan Al-Turabi. The Government reported that they arrested two members of the security services in connection with this incident, but no known action had been taken by year's end." [3g] (Section 1a) Amnesty International (AI) also reported on the Khartoum arrests in September 2004 of PNC and suspected PNC members, including the death of two student members of the PNC - a Darfuri and a Nuba - both of which may have been caused by torture or ill treatment. [11ae] The Sudanese Organisation Against Torture (SOAT) also reported on the death of the Nuba student. [23ar]

6.78 The BBC continued to report on the events surrounding the alleged coup plot throughout September 2004 including, on 30 September 2004, that "At least 28 people, mostly members of the security forces, have been charged with trying to overthrow Sudan's government in a coup." [14s] [14r] [14at] The BBC report stated that "AFP news agency report that they are members of the Islamist Popular National Congress of Hassan al-Turbai." [14at] And that "Several of the suspects are from Darfur, the prosecution says." [14at]

6.79 Amnesty International (AI) and the Sudan Organisation Against Torture (SOAT) recorded that Darfuris residing in Khartoum and Darfur were arrested and detained on suspicion of involvement with the alleged coup attempts of March 2004 and September 2004. [11u] (p20-21) [23ag] [23bt] (p3, 5) [23bw] (p4-5) [23bx] (p11) AI reported that "Those targeted for arrest include high-profile members of the Popular Congress and lower-profile members of the Popular Congress, in particular students. Students and people from marginalised areas such as Darfur are particularly at risk of torture: two students from the Popular Congress died in custody after their arrest in September 2004." [11u] (p20)

See also Annex B: Popular National Congress

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Members and Supporters of Armed Opposition Factions - Central/South Sudan

6.80 USSD 2004 recorded that "There were continued allegations that the Government was responsible for the arrest and subsequent disappearance of persons suspected of supporting rebels; however, unlike in previous years, there were no such allegations that this took place in government controlled zones in the South and the Nuba Mountains." [3g] (Section 1b) A January 2005 Associated Press report, reproduced on the Sudan Tribune website, stated that the successful three year cease fire agreement in the Nuba Mountains had been renewed for a further six months. [20]

6.81 The Sudan Organisation Against Torture (SOAT) reported, in October 2004, on the arrest and alleged torture of Mrs. Zubaida Rabih, a well-known activist in the

Nuba Mountains, following a man's arrest for alleged membership of the SPLA. [23bp] (p1) The report stated that "According to security officers, among the man's possession (sic) found during his arrest was a letter from Mrs. Zubaida to the SPLA's women office leader." [23bp] (p1) In January 2005, SOAT also reported on the arrest of Abdelgaleel Abu-amina, a Sergeant in the Sudanese army and a member of the National Congress, ostensibly because of his participation in a festival in SPLM/A territory that was held to celebrate the signing of the Comprehensive Peace Agreement. [23aq] (p1)

See also Section 6B: [Ethnic Groups/The Nilotes - Dinka, Nuer and Shilluk](#) and [Ethnic Groups/Nuba](#);
Annex B: [Sudan People's Liberation Movement/Army](#)

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Members and Supporters of Armed Opposition Factions - Darfur

6.82 USSD 2004, Amnesty International (AI), the Sudan Human Rights Organisation-Cairo (SHRO-Cairo), the Sudan Organisation Against Torture (SOAT) and the World Organisation Against Torture (OMCT) all reported on allegations that the Government was responsible for the arrest, detention and disappearance of persons suspected of supporting rebels in the Darfur region during 2004 and 2005. [3g] (Section 1c) [11d-11e] [11h] [11ab-11ac] [11aj] [11al] [11s] [11o] [11b] [61b] [23k] [23n] [23aa] [23af-23ah] [23aj] [23an-23ao] [23au] [23ay-23az] [23bb] [23bd] [23bj] [23bm-23bo] [23bq] [23bs] [42e] [42h] [42k] [42c] [42a-42b]

6.83 USSD 2004 stated that "Security forces arrested numerous persons suspected of supporting the rebels in Darfur, some of whom were tried, convicted, and sentenced to death under Special Courts (see Section 1.e.)." [3g] (Section 1d) The report specifically mentioned the case of "Ali Dosa, a Member of Parliament arrested on charges of working with the Darfur rebels, was imprisoned for several months, although his parliamentary immunity was never lifted." [3g] (Section 1e) The same report also recorded that "There were reports that government security forces tortured and beat persons suspected of supporting the rebels in Darfur." [3g] (Section 1c)

6.84 Amnesty International (AI) and the Sudan Organisation Against Torture (SOAT) recorded in October and December 2004, and January 2005, that Darfuris residing in Khartoum and other areas of north Sudan were arrested and detained, apparently on suspicion of supporting the armed opposition groups in Darfur. [11u] (p14-16) [23ao] [23bn] [23bq] [23bv] (p9, 10-11) The vast majority of the cases reported by AI and SOAT involved students, educated persons, or influential members of a tribe or community, such as Sheiks and Omdas. [11u] (p14-16) [23ao] [23bn] [23bq] [23bv] (p9, 10-11)

See also Section 5: [Judiciary/North, South and West Darfur](#);
Section 6B: [Ethnic Groups/Darfur](#);
Annex B: [Justice and Equality Movement](#), [National Movement for Restoration/Reform and Development](#) and [Sudan Liberation Movement/Army](#)

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Members and Supporters of Armed Opposition Factions - East Sudan

6.85 One report, USSD 2004, reported that "Several supporters of the eastern-based Beja Congress (BC) were detained in Kassala and Port Sudan, including 12 members arrested in Port Sudan on October 12." [3g] (Section 1d) The report provided no further details or reason for their arrest. [3g] (Section 1d)

6.86 In late January and early February 2005, AI, the BBC, IRIN, SOAT and SHRO-Cairo all reported on the killing and arrest of demonstrators in Port Sudan, east Sudan. [11c] [11e] [14z] [15be] [23ak-23al] [23bx] (p9) [61f] IRIN stated on 1 February 2005 that the January 2005 Cairo talks, at which the NDA and the Sudanese government had reached a preliminary settlement were boycotted by the Beja Congress, which claims to represent some four million people in east Sudan. [15be] The BBC recorded that on 29 January 2005 that "Members of eastern tribes - mainly Beja - presented a list of demands to the governor three days ago, including greater wealth and power sharing, Reuters news agency reported." [14z]

6.87 The same report stated that "Security forces are said to have opened fire after protesters demanding greater autonomy for the local Beja community began rioting in Port Sudan." [14z] While SHRO-Cairo claimed on 30 January 2005 that "Further reports indicated that the murdered citizens were hunted by the police even inside their own dwelling areas where 2 women and a number of children were killed by police firearms." [61f] AI condemned the use of excessive force to quell the demonstration and also claimed that houses were attacked using grenades. [11c] On 1 February 2005 SOAT recorded the details of those killed, the number of demonstrators who had been detained, and the locations of where the detained were thought to be held. [23ak-23al]

6.88 SHRO-Cairo also stated that "In the meantime, SHRO-Cairo received reliable reports that the Sudan Government has escalated military action against the Beja forces in Tandli and al-Gash as well as Makali and Degain in the neighborhoods of Jebel Await near the Mokram Mountains of Kassala." [61f] A February 2005 Sudan Tribune article reproduced interviews with an official of the Beja Congress and the leader of the Free Lions Association, acquired from BBC Monitoring, that supported SHRO-Cairo's assertion that military action between government forces and Beja rebels had occurred. [12]

6.89 The interviewees also stated that Port Sudan was still under curfew and that "Arrests are continuing among Beja Congress students, leaders, and activists in Kassala, Port Sudan, and Al-Qadarif." [12] (p3, 1) SOAT recorded that, "In the early morning of 1 February 2005, security forces in Port Sudan arrested Abdallah Mussa Abdallah, General Secretary of the Beja Congress in Red Sea State from his home in Port Sudan, eastern region of Sudan. On the same day the security forces also arrested senior members and activists of the Beja Congress in Port Sudan and Kassala." [23ak]

See also Section 6B: Ethnic Groups/Beja;
Annex B: Beja Congress and National Democratic Alliance

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Employment Rights

6.90 Article twenty-six of the 1998 Constitution of the Republic of Sudan states "1. All citizens have the right to freedom of succession and organization for cultural, social, economic, professional or trade union purposes, without restriction except in accordance with law." [4] (p4) According to the US State Department Human Rights Report for 2004 (USSD 2003), published on 28 February 2005, the rights of workers, as provided by the Constitution, were denied by the Government. [3g] (Section 6)

Sudan People's Liberation Movement/Army (SPLM/A)-Controlled Areas

6.91 USSD 2004 recorded that "The SPLM/A [Sudan People's Liberation Movement/Army] and affiliated forces continued to force southern men to work as laborers or porters." [3g] (Section 6c)

Trade Unions

6.92 USSD 2004 stated that "Only the government-controlled Sudan Workers Trade Union Federation (SWTUF) can function legally, and all other unions were banned." [3g] (Section 6a) Freedom House's (FH) 2004 report on The World's Most Repressive Societies concurred stating that "There are no independent trade unions [in Sudan]." [54b] (p63) The 'Legitimate' Sudan Workers Trade Union Federation (SWLTUF), which continued to be recognised by the International Confederation of Free Trade Unions (ICFTU), was the national trade union centre that had formerly functioned and operated in exile during 2004. [3g] (Section 6a)

6.93 The ICFTU's 'Annual Survey of Violations of Trade Union Rights (2004)' stated that "There were no improvements [in 2003]. Sudanese legislation does not allow for any genuine trade union activity and none is tolerated outside the state-controlled SWTUF. Violations of labour decrees can be punished by death." [56] (p1) USSD 2004 stated that " Unlike in the previous year [2003], there were no reports that union leaders were detained. The law does not prohibit anti union discrimination by employers." [3g] (Section 6a)

6.94 According to USSD 2004, "There were credible reports that the Government routinely intervened to manipulate professional, trade union, and student elections (see Section 2.a.)." [3g] (Section 6b) The ICFTU's Annual Survey (2004) claimed that the situation of activists in Sudan is one of grave concern and that trade unionists, among others, have been harassed, intimidated, arbitrarily arrested, detained and tortured. [56] According to the ICFTU, "Trade unionists who do not tow (sic) the government's line live under constant fear." [56] (p2)

6.95 USSD 2004 and the ICFTU's Survey 2004 agreed that the December 2000 Labour code denied trade union freedom and strengthened government control over trade unions. [3g] (Section 6b) [56] (p1) USSD 2004 stated that "The Labor Code denies trade unions autonomy to exercise their basic right to organize or to bargain collectively. The Labor Code defines the objectives, the scope of their activities, and their organizational structures and alliances." [3g] (Section 6b) FH's 2004 report alleged that "Local union elections are rigged to ensure the election of government approved

candidates." [54b] (p63) USSD 2004 recorded that "Strikes were considered illegal unless the Government granted approval, which has never been given. In most cases, employees who tried to strike were subject to employment termination; however, workers who went on strike during the year were not terminated." [3g] (Section 6b) The 2004 ICFTU Survey concurred: "The government has never given its approval for strike action, hence any strikes that do take place are illegal. In most cases workers who try to go on strike are sacked." [56] (p3)

Wages and Conditions

6.96 It was reported by USSD 2004 that "In April [2004], the Ministry of Labor and Administrative Reform, the Sudanese Businessmen, and Employers Federation, and the SWTUF agreed to raise the minimum wage to \$48 (SDD 12,500) per month. The Ministry of Labor, which maintained field offices in most major cities, was responsible for enforcing the minimum wage, which employers generally respected." [3g] (Section 6e) According to USSD 2004, "The workweek was limited by law to an 8 hour day, with a day of rest on Friday, which generally was respected." [3g] (Section 6e) The report continued "Although the laws prescribe health and safety standards, working conditions generally were poor, and enforcement by the Ministry of Labor was minimal." [3g] (Section 6e) USSD 2004 also remarked that "Southern IDPs generally occupied the lowest paying occupations and were subject to economic exploitation in rural and urban industries and activities." [3g] (Section 6e)

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Slavery and Forced Labour

6.97 Article twenty of the 1998 Constitution of the Republic of Sudan states "Everyone has the right to life and liberty and security of person in accordance with the law. Everyone shall be free and no one shall be held in slavery or servitude or degraded or tortured." [4] (p4)

6.98 USSD 2004 reported that "The Constitution prohibits forced or compulsory labor, including by children; however, there were reports that such practices continued (see Sections 5 and 6.d.)." [3g] (Section 6c) The report continued "Security forces and associated militias were responsible for forced labor (including forced child labor) and forced military conscription of underage young men. Child labor was widespread. Credible sources indicated that, unlike in previous years, slavery did not appear to be a significant problem." [3g] (p2)

6.99 USSD 2004 recorded that "There were no confirmed reports of abductions in the southern part of the country, largely due to the cessation of hostilities in much of the South. In the past 15 years, an estimated 15,000 Dinka women and children have been abducted; between 10,000 and 12,000 persons, primarily Dinka, remained abducted or unaccounted for at year's end." [3g] (Section 1b) Also, "There were fewer reports during the year that government and government-supported militias abducted women for use as domestic servants, forced labor, or concubines (forced marriages) due to the continuation of the North-South cessation of hostilities." [3g] (Section 5)

6.100 USSD's June 2004 Report on people trafficking stated that:

"The Committee for the Eradication of Abduction of Women and Children (CEAWAC), a governmental organization and its 22 Joint Tribal Committees locate, identify, and facilitate the safe return of former abductees. Since 1999, approximately 3,500 persons have been released from bondage. CEAWAC documented 764 abduction cases in 2003 and reunified 196 abductees with their families." [3c] (p78)

6.101 USSD 2004 stated that "Unlike in previous years, credible sources indicated that slavery did not appear to be a significant problem. The Government continued to deny that slavery and forced labor existed, but CEAWAC acknowledged that abductions had occurred (see Sections 1.b. and 5)." [3g] (Section 6c) USSD 2004 also recorded that "The Committee to Eradicate the Abduction of Women and Children (CEAWAC) continued to report a lack of necessary funding to document, rescue, and transport abductees back to their families (see Section 5). The Government did not identify the abductors or forced labor owners and has not prosecuted them." [3g] (Section 1b)

6.102 USSD 2004 reported that "Both the Government and rebel factions continued to conscript men and boys forcibly into the fighting forces (see Section 5). The SPLM/A and affiliated forces continued to force southern men to work as laborers or porters." [3g] (Section 6c) USSD's June 2004 Trafficking in Persons Reports stated that "Women and children are also subjected to intertribal abductions for domestic servitude and sexual exploitation in southern Sudan." [3c] (p78) USSD 2004 recorded that

"There were credible reports that intertribal abductions of women and children continued in the South. Victims frequently became part of the new tribal family, with most women marrying into the new tribe; however, some victims were used for labor or sexual purposes. As intertribal fighting in the South decreased, the number of abductions also appeared to decline. The Government acknowledged that abductions occurred and that abductees were sometimes forced into domestic servitude and sexual exploitation." [3g] (Section 5)

6.103 USSD 2004 also stated that "There were fewer reports during the year that government and government-supported militias abducted women for use as domestic servants, forced labor, or concubines (forced marriages) due to the continuation of the North-South cessation of hostilities." [3g] (Section 5)

See also Section 5: Military Service/Forced Conscription, Recruitment/Forced Conscription by the Sudan People's Liberation Movement/Army (SPLM/A) and Recruitment/Forced Conscription by Other Armed Opposition Factions; Section 6B: Children/Forced Labour; Forced Conscription in Government-Controlled Areas and Forced Conscription in Sudan People's Liberation Movement/Army (SPLM/A)- and Other Armed Opposition-Controlled Areas

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People Trafficking

6.104 The US State Department's June 2004 Trafficking in Persons Report stated that "No law specifically prohibits trafficking in persons, although criminal law (Shari'a law) and the current State of Emergency Law prohibit all forms of sexual and labour exploitation." [3c] (p78) Nevertheless, the report continued, "No prosecutions took place under these laws during the past year." [3c] (p78) According to USSD 2004 "Abductions and trafficking in persons occurred but appeared to decline." [3g] (p2) USSD's June 2004 report stated that "Sudan is a source and destination country for trafficked persons; it also has a significant internal slavery problem." [3c] (p78)

6.105 USSD 2004 stated that "Trafficking in women remained a problem but declined in scope during the year [2004] (see Section 5, Trafficking)." [3g] (Section 5) And "Unlike in previous years, there were no credible reports that children were transported to the Persian Gulf to be used as jockeys in camel races or as laborers." [3g] (Section 5) In addition to constitutional provisions, there are laws criminalizing specific conduct mentioned by the U.N. Protocol to Prevent, Suppress and Punish Trafficking in Persons. Criminal law (Shari'a) and the State of Emergency Law prohibit all forms of sexual exploitation. Penalties include fines and imprisonment; however, no prosecutions took place under these laws during the year." [3g] (Section 5)

6.106 USSD claimed, in its June 2004 Report, that "The Government of Sudan does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Government officials deny the existence of trafficking in Sudan; consequently, law enforcement and prevention efforts are non-existent." [3e] (p78)

See also Section 6B: Women and Children

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Freedom of Movement

6.107 Article twenty-three of the 1998 Constitution of the Republic of Sudan states "Every citizen has the right to freedom of movement and residence in the country, to leave and return to the country, and these rights shall not be restricted except in accordance with law." [4] (p4) However, according to the US State Department Human Rights Report for 2004 (USSD 2004), published on 28 February 2005, freedom of movement was restricted by the Government: "Movement was generally unhindered for citizens outside the war zones; however, travelers who failed to produce an identity card at checkpoints risked arrest." [3g] (Section 2d)

Passports

6.108 According to the Danish Immigration's 'Report on fact-finding mission to Cairo, Khartoum and Nairobi in 2001, the Passports and Immigration Department in Khartoum issued national passports and "Any Sudanese citizen could have a national passport issued to him if he can produce valid proof of nationality and an identity card." [9b] (p56) The report continued "Sudanese citizens who were staying

abroad and whose passport had expired could apply to the nearest Sudanese embassy or to the passport issuing authorities in Khartoum for a new passport." [9b] (p56)

6.109 The Danish 2001 fact-finding Report stated that "There were two types of passport which were normally used, one for business travellers (pale blue cover) and one for ordinary travellers (green cover)." [9b] (p56) The mission was also told that "From 2002 new technically improved passport types would be issued to replace the above, which were relatively easy to falsify." [9b] (p56)

6.110 The Foreign and Commonwealth Office (FCO), in a letter dated 28 February 2005, described Sudanese passports as follows: "It's green, has 64 pages and is initially valid for 2 years." [25c] (p2)

Exit Visas

6.111 When the 2001 Danish report was published two types of exit visa had been in use since May 1998; one type was issued to Sudanese nationals travelling abroad to work and the other type of exit visa was issued to everyone else. [9b] (p56) According to USSD 2003, "The Government claimed it had canceled the exit requirement for its citizens; however, in practice, the Government still denied travel privileges to certain individuals when they arrived at exit ports (such as airports)." [3a] (p23) The FCO's February 2005 letter stated that exit visas were still required to leave the country. [25c] (p2)

6.112 USSD 2004 recorded that "The Government denied exit visas to some categories of persons, including policemen and physicians, and maintained lists of political figures and other citizens who were not permitted to travel abroad. For example, in November [2004] a member of Hassan al-Turabi's PNC was not allowed to travel to Kenya, and, in December [2004], a DUP member was denied permission to travel." [3g] (Section 2d) The report also stated that "Women cannot travel abroad without the permission of their husbands or male guardians; however, this prohibition was not enforced strictly, especially for NC [National Congress] members." [3g] (Section 2d)

Airport Security

6.113 The embarkation process at Khartoum Airport, at that time, was explained to the Danish fact-finding mission of 2001. [9b] (p56-57) Colonel Ismail H. Rasoul of the Khartoum Airport Police told the mission that, after the first baggage check, the traveller has to present his passport with an exit visa, which is then stamped and the traveller himself completes a departure form, which is then registered on computer. [9b] (p56) The airport security police at Khartoum airport have a list of wanted persons, which is checked at this point of the embarkation process. [9b] (p56-57) The report stated that "His baggage is then checked by the customs authorities." And "Before a person gains access to the plane his passport is checked again." [9b] (p57)

6.114 Three sources consulted by the Danish mission in 2000 agreed that, apart from those on the Government's list of wanted persons, Sudanese citizens were easily able to resort to bribery to obtain passports, exit visas and to pass by border

control officers at that time. [9a] (p27-28) The 2000 Fact-Finding Report stated that "The authorities are not very well able to check on all departing passengers." And that "This is due to shortage of financial resources and a general casualness about checks on departure." [9a] (p28) The FCO letter of February 2005 stated that, whilst it is probable that bribery is used to obtain passports, visas and to facilitate passage through immigration control, the FCO itself was unable to source or verify such assumptions. [25c] (p2)

Areas Controlled by the Sudan People's Liberation Movement/Army (SPLM/A) and Other Armed Opposition Factions

6.115 USSD 2004 reported that the SPLM/A, the Sudanese Liberation Army (SLA), and the Justice and Equality Movement (JEM) all restricted freedom of movement within areas under their control. [3g] (p2) According to the same report "Citizens from the North or from government-controlled areas reportedly were denied permission to enter SPLM areas and were treated as foreigners." [3g] (Section 2d)

Returning Sudanese Nationals

6.116 USSD 2004 reported that "The law prohibits forced exile, and the Government did not use it. [However,] Opposition leaders remained in self imposed exile in Cairo, Asmara, and other locations during the year." [3g] (Section 2d)

See also Section 6C: IDPs/Returning Refugees and IDPs

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6.B HUMAN RIGHTS: SPECIFIC GROUPS

Ethnic Groups

6.117 Article twenty-seven of the 1998 Constitution of the Republic of Sudan states "Every sect or group of citizens have the right to keep their particular culture, language or religion, and to voluntarily bring up their children within the framework of these traditions. It is prohibited to impose one's traditions on children by coercion." [4] (p5)

6.118 The US State Department Human Rights Report for 2004 (USSD 2004), published on 28 February 2005, reported that

"[In 2004] The population was a multi-ethnic mix of more than 500 Arab and African tribes with numerous languages and dialects. Northern Muslims, who formed a majority of approximately 16 million persons, traditionally dominated the Government. The southern ethnic groups fighting the civil war (largely followers of traditional indigenous religions or Christians) numbered approximately 6 million. Although an oversimplification, the fighting in Darfur has been characterized in racial terms, as Arab Muslims against black African Muslims (see Section 1.g.). The Muslim majority and the Government continued to discriminate

against ethnic minorities in almost every aspect of society. Citizens in Arabic speaking areas who did not speak Arabic experienced discrimination in education, employment, and other areas." [3g] (Section 5)

See also Annex C: Main Ethnic Groups and Annex D: Languages of Sudan

6.119 According to the same report, "The Government continued the Islamisation and Arabisation of the country and, there were credible allegations of forced Islamization of non-Muslims." [3a] (p3)

See also Section 6A: Freedom of Religion

6.120 USSD 2004 also reported that

"There were occasional reports of intertribal abductions of women and children in the South, primarily in the eastern Upper Nile. The abductions were part of traditional warfare in which the victor took women and children as a bounty and frequently tried to absorb them into their own tribe. There were traditional methods of negotiating and returning the women who were taken in these raids. Many of these women were raped and 'chose' to 'marry' their abductors, rather than return home where they would be stigmatized." [3g] Section 5)

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Nubians

6.121 The International Crisis Group (ICG) published a report, 'Sudan's Other Wars' in June 2003 which stated that the Nubian community had never fully recovered from its mass relocation from the banks of the Nile in the 1960s as part of the then government's Aswan Dam program. [63d] (p18) In September 2004, SHRO-Cairo stated that the Nubian people of north Sudan were at risk of ethnic and cultural cleansing by the Government of Sudan as "The two governments of Egypt and Sudan are working actively to suffocate Nubia and change its identity to an Arabized one." [61g] (p1) The Urgent Action, published on 29 September 2004, outlined the threat of new dam building projects:

"GOS [the Government of Sudan], like GOE [the Government of Egypt] is waging a secret war against Nubians in the north. Its deliberate policies to de-populate the Nubian lands through the persistent ! (sic) lack of economic and social development and making plans to construct more dams on Nubian land is meant to disrupt the stability of the area and an attempt to change the structure of the Nubian society by forcing Nubians to abandon their ancestral homes. In fact, an attempt to build Kajbar dam in the heartland of Nubia was suspended temporarily when the Nubians protested loudly and sent their out cry abroad to alert the international community to come to their help and stop t he plans to construct the dam."

3. GOS is actively working now to construct another dam in Hamadab area (Merowe Dam), which will devastate the Nubian antiquities and historical sites that have yet to be fully excavated." [61g] (p1)

6.122 The ICG's report also recorded that "Nubians are concerned that the ruling Islamist party remains intent on suppressing their cultural heritage. The government promotes Sudan's Islamic heritage to the near exclusion of all others." [63d] (p18)

See also Annex C: Black Ethnic Groups Collectively Known as the Nubians

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Beja

6.123 The 'World Directory of Minorities' 1997 claimed that the ruling party, the National Islamic Front (NIF), was disturbed by the Beja's pride in culture and traditions, which it perceived to be incompatible with Arab-Islamic identity. [37] (p461) The June 2003 ICG report stated that "The Beja practise a more traditional and tolerant form of *Sufi* Islam than what the government has sought to impose on the rest of the country." [63d] (p16) The report also recorded that "Decades of negligence of their community, under both democratic and autocratic governments, has left the Beja highly vulnerable to malnutrition, famine and contagious disease." [63d] (p16)

6.124 An August 2004 Reuters report, reproduced by the Sudan Tribune, stated that "[Salah] Barqueen [the Beja congress spokesman] alleged that the Sudanese government had over the last year been arming and training Janjaweed militia in eastern Sudan and urged both the government and the international community to tackle the issue before it worsened as in Darfur." [18b]

6.125 In late January and early February 2005, the BBC, SHRO-Cairo, AI, IRIN and SOAT all reported on the killings and arrests of demonstrators in Port Sudan, east Sudan. [14z] [61f] [11c] [11e] [15be] [23a] [23ak] The BBC recorded on 29 January 2005 that "Members of eastern tribes - mainly Beja - presented a list of demands to the governor three days ago, including greater wealth and power sharing, Reuters news agency reported." [14z] The report did not state whether those who presented the list of demands were members of the political party, the Beja Congress, but it did state that "The Beja also want the government to recognise the Beja Congress as the only representative of the people of eastern Sudan, reports say." [14z]

6.126 The same report also stated that "Security forces are said to have opened fire after protesters demanding greater autonomy for the local Beja community began rioting in Port Sudan." [14z] Whilst SHRO-Cairo claimed that "Further reports indicated that the murdered citizens were hunted by the police even inside their own dwelling areas where 2 women and a number of children were killed by police firearms." [61f] AI condemned the use of excessive force to quell the demonstration, which had turned violent, and also claimed that houses were attacked using grenades." [11c] On 1 February 2005 SOAT recorded the details of those killed, the number of demonstrators who were detained, and the locations of where the detained were thought to be held. [23a] [23ak]

See also Section 6A: Freedom of Assembly and Association/Members and Supporters of Beja Congress (BC);

Annex B: Beja Congress and Annex C: Non-Arab Ethnic Groups Collectively known

Darfur

6.127 Numerous human rights reports were published throughout 2004 and early 2005 on the continuing insecurity, citing abuses committed by all parties to the conflict, outlining the ongoing humanitarian concerns for those displaced by the fighting. [2c-2e] [2j] [10a-10f] [10g] [11y-11ac] [11ah] [11aj] [11ak-11al] [11s-11u] [11o-11p] [11b] [11d] [17] [22] [23f-23i] [23k] [23n] [23q] [23t-23u] [23x] [23z] [23ab-23ah] [23aj] [23am-23ao] [23at-23au] [23aw-23bh] [23bj-23bo] [23bq] [23bs-23bx] [23b] [42a-42d] [42f-42g] [42j-42l] [61b] [61d]

6.128 According to major reports by various organisations, the three main non-Arab groups in Sudan's Darfur region are the Massaleit (Masalit), the Fur (Four) and the Zaghawa (Zaghewa). [2c] [2j] [3e] [10c] [10e] [11h] [17] [22] Human Rights Watch (HRW) noted in January 2005 that "Numerous smaller ethnic groups, such as the Tama, Eringa, Berti, Bergit, Dorok and Tunjur, have also been targeted by the government-militia forces, especially as the conflict has broadened geographically over time." [10e] However, some of these reports have also highlighted the oversimplification of the conflict in Darfur as, although there is certainly a marked division along ethnic lines, this is not always the case. [2c] [10c] [10e] [11h] For example, some Arab groups are fighting with the rebels and some African tribes have joined the Government's militia forces. [2c] (p32) [11h] (p7) There is also a marked suggestion of affiliation based on a tribe's land ownership and access to Darfur's scarce natural resources. [2c] (p22-24) Members of those tribes without their own 'Dar' (homelands) appear to have mainly sided with the Government whilst those tribes with a 'Dar', have generally allied themselves with the rebels. [2c] (p20, 24) [11h] (p7)

6.129 The Government of Sudan established its own Commission of Inquiry which accepted that the serious violation of human rights had occurred in Darfur but found that the abuses were not as widespread or systematic as claimed by news reports, international organisations and other countries. [76] The report's executive summary, published on the Sudan Embassy in London website in February 2005, pointed to the culpability of all actors in the conflict for such abuses. [76] The Report of the International Commission of Inquiry (ICI) on Darfur to the United Nations (UN) Secretary-General listed a number of differing uses of the term Janjaweed, in connection with the conflict in Darfur, and stated that

"The fact that the Janjaweed are described as Arab militias does not imply that all Arabs are fighting on the side of the Janjaweed. In fact, the Commission found that many Arabs in Darfur are opposed to the Janjaweed, and some Arabs are fighting with the rebels, such as certain Arab commanders and their men from the Misseriya and Rizeigat tribes²⁹. At the same time, many non-Arabs are supporting the Government and serving in its army. Thus, the term 'Janjaweed' referred to by victims in Darfur certainly does not mean 'Arabs' in general, but rather Arab *militias* raiding their villages and committing other violations." [2c] (p32)

6.130 The International Federation for Human Rights (FIDH) and the Sudan

Organisation Against Torture's (SOAT) May 2004 report, 'Sudan: One step forward, many steps back' quoted the findings of UN personnel as follows: "The UN fact-finding mission experts pointed out, on 29 March 2004 that 'militias such as the Janjaweed and the Popular Defence Forces, encouraged by the Sudanese Government, are trying to forcibly remove the non-Arab segment of the local population.'" [22] (p5) The report continued: "The FIDH and SOAT confirm those assertions and believe that the attacks and harassment of the Fur, Zaghawas and Massalit ethnic communities, are part of a policy of systematic and forced displacement of African tribes from the Darfur." [22] (p5)

6.131 A HRW report, dated November 2004, recorded that the Sudan Liberation Army (SLA) had targeted particular groups ostensibly because the Janjaweed draw their forces, including leaders considered to be responsible for Janjaweed abuses, from groups of the same ethnic origin. [10e] (p32-38) The ICI report noted that official and unofficial government actors, rebel actors, traditional tribal conflicts and armed persons committing acts of banditry have all been cited in reported violations "However, it should be noted that the number of reported violations allegedly committed by the Government forces and the Janjaweed by far exceeds the number of cases reported on rebels." [2c] (p55) The report stated that

"Hundreds of incidents have been reported involving the killing of civilians, massacres, summary executions, rape and other forms of sexual violence, torture, abduction, looting of property and livestock, as well as deliberate destruction and torching of villages.... Except in a few cases, these incidents are reported to have occurred without any military justification in relation to any specific activity of the rebel forces. This has strengthened the general perception amongst observers that the civilian population has been knowingly and deliberately targeted to achieve common or specific objectives and interests of the Government and the Janjaweed." [2c] (p54)

6.132 The report also noted that "It is reported that amongst the African tribes, members of the Zaghawa, Fur and Masaalit tribes, which have a marked concentration of population in some areas, have been particularly targeted. This is generally attributed to the fact that the two main rebel groups in Darfur are ethnically African and are largely drawn from these three tribes. It is for this reason that some observers have concluded that a major objective of destruction and depopulation of targeted areas is to eliminate or pre-empt any possibility of support for the rebels." [2c] (p54) HRW's January 2005 report, 'Targeting the Fur: Mass Killings in Darfur', stated that:

"Many of the abuses against these groups amount to crimes against humanity and war crimes, as the attacks are deliberately and systematically directed against civilians on account of their ethnicity. Some abuses stand out for the extraordinary level of brutality shown by the perpetrators, suggesting an intention to destroy the civilian group targeted in a given locality.¹⁰ All these incidents should be investigated in depth, and prosecuted as exceptionally serious international crimes, including potentially the crime of genocide." [10e] (p3-4)

6.133 The US Department of State released a report on its investigation of the

human rights abuses being committed in Darfur in September 2004 and, alluding to this report, USSD 2004 claimed that "Information available by September 9 indicated that genocide had been committed in Darfur, and the Government and the jinjaweed bore responsibility." [3e] [3g] (Section 1a) However, the January 2005 ICI report concluded that, although serious human rights abuses were committed and some of the perpetrators may have acted with genocidal intent, genocide itself had not occurred: [2c] (p4)

"There is no doubt that some of the objective elements of genocide materialized in Darfur. As discussed above, the Commission has collected substantial and reliable material which tends to show the occurrence of systematic killing of civilians belonging to particular tribes, of large-scale causing of serious bodily or mental harm to members of the population belonging to certain tribes, and of massive and deliberate infliction on those tribes of conditions of life bringing about their physical destruction in whole or in part (for example by systematically destroying their villages and crops, by expelling them from their homes, and by looting their cattle). However, two other constitutive elements of genocide require a more in depth analysis, namely whether (a) the target groups amount to one of the group protected by international law, and if so (b) whether the crimes were committed with a genocidal intent." [2c] (p129)

6.134 With regard to the first constitutive element, the report points to the shared religion (Islam), language (Arabic) and high incidence of inter-marriage and co-existence that has blurred the ethnic lines along which the 'Arabs' and 'Africans' in Darfur are divided. [2c] However, the report also stated that "As noted above, in recent years the perception of differences has heightened and has extended to distinctions that were earlier not the predominant basis for identity. The rift between tribes, and the political polarization around the rebel opposition to the central authorities, has extended itself to issues of identity." [2c] (p130) Consequently, the report concluded that the victims of attacks in Darfur were a subjective protected group. [2c] (p130)

6.135 As to the second constitutive element, was there genocidal intent, the report stated that "Some elements emerging from the facts including the scale of atrocities and the systematic nature of the attacks, killing, displacement and rape, as well as racially motivated statements by perpetrators that have targeted members of the African tribes only, could be indicative of the genocidal intent. However, there are other more indicative elements that show the lack of genocidal intent." [2c] (p130) The report stated that the indicative elements included the selectivity of, and apparent reasons for, attacks and killings, and the ability of internally displaced people (IDPs) to collect in camps in which the government allowed humanitarian organisations to administer aid. [2c] (p130-132)

6.136 Nevertheless, the ICI did stress that

"The above conclusion that no genocidal policy has been pursued and implemented in Darfur by the Government authorities, directly or through the militias under their control, should not be taken as in any way detracting from, or belittling, the gravity of the crimes perpetrated in that region. As stated above

genocide is not necessarily the most serious international crime. Depending upon the circumstances, *such international offences as crimes against humanity or large scale war crimes may be no less serious and heinous than genocide*. This is exactly what happened in Darfur, where massive atrocities were perpetrated on a very large scale, and have so far gone unpunished." [2c] (p132)

See also Section 5: Judiciary/North, South and West Darfur;
Section 6A: The Darfur Conflict; Freedom of Assembly and Association/Members and Supporters of Armed Opposition Factions - Darfur; Section 6C: Internally Displaced Persons/Darfur and Refugee Movement within Neighbouring Countries;
Annex B: Justice and Equality Movement, National Movement for Restoration/Reform and Development; Sudan Liberation Movement/Army and Annex C: Black Ethnic Groups - Darfur

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Nilotes - Dinka, Nuer and Shilluk

6.137 According to the World Directory of Minorities 1997, the Dinka's close proximity to cattle herding Arabic tribes has made them vulnerable to attacks, which have resulted in the death of their men and the abductions and slavery of many of their women and children. [37] (p458) According to LoC's 1991 Study, "Sections of the Dinka have fought sections of the Nuer and each other....The Nuer absorbed some of the Dinka and some present-day sections of the Nuer have significant Dinka components." [35a] (p7) According to the USSD Report for 2003 "There were deaths in conflicts between ethnic groups, such as continued fighting between Dinka and Nuer or among Nuer tribes." [3g] (Section 5)

6.138 The Civilian Protection Monitoring Team (CPMT), which was created as a result of US mediated negotiations between the Government of Sudan (GoS) and the Sudan People's Liberation Movement (SPLM) in March 2002, investigated reported abuses committed by and against the Dinka, Nuer and Shilluk tribes in southern Sudan during 2004 and 2005. [60n-60o] [60r] [60t] [60x-60ab] [60d-60g] [60i-60j] [60l] [60ad-60af] [60aj] [60al] The UN's Integrated Regional Information Networks (IRIN) also reported on clashes between the Nuer and Shilluk tribes in July 2004 and stated in a May 2004 report that "Tensions are high between displaced cattle-owning Dinka and their host community in Mundri and Maridi counties of Equatoria, southern Sudan, over access to grazing land and water, according to humanitarian sources." [15z] [15aa] (p1) IRIN also reported, in October 2004, that the harassment of civilians in Upper Nile by government and government-aligned forces had been found to have occurred on a number of occasions by CPMT. [15bv] The report also stated that, largely due to the actions of armed forces, "Malakal, the headquarters of Upper Nile, has an estimated 35,000 IDPs, who, according to the CPMT, live under difficult humanitarian conditions." [15bv] (p1)

See also Section 6A: Freedom of Assembly and Association/Members and Supporters of Armed Opposition Factions - Central and South Sudan;
Annex C: Black Ethnic Groups (central and southern Sudan)

Nuba

6.139 USSD 2004 recorded that "Civil authorities and institutions did not operate in parts of the rebel held South and the Nuba Mountains. Parts of the South and the Nuba Mountains fell outside effective judicial procedures and other governmental functions. According to credible reports, government units summarily tried and punished those accused of crimes, especially for offenses against civil order." [3g] (Section 1e)

6.140 A US Committee for Refugees (USCR) report of 2000 entitled 'The Crisis in Sudan: The Nuba People - Confronting Cultural Liquidation' claimed that "The Government of the Sudan has pursued a strategy of liquidation [against the Nuba] since the 1980s." [24a] (p3) However, Europa 2005 recorded that the SPLM/A and the Government had agreed to a six-month renewable military ceasefire in the Nuba Mountains area after six days of negotiations in Switzerland during January 2002. [1] (p1094) A January 2005 Associated Press (AP) report, reproduced on the Sudan Tribune website, stated that the successful three year cease fire agreement in the Nuba Mountains had been renewed for a further six months. [20]

6.141 IRIN reported that the ceasefire resulted in the establishment of an international presence; a cessation of hostilities and reduction in violence; humanitarian access and aid; and a check on the alarming decline of the food insecurity situation in the SPLM/A-controlled areas of the region. [15a] (p1-2) AP's January 2005 report recorded the comments of Norwegian Brigadier General Jan Erik Wilhelmsen of the JMC, stating that, "He said the truce was holding with no serious violations and suggested it could be applied in other parts of Sudan, particularly since the official ending earlier this month of a 21-year civil war." [20]

6.142 A July 2004 BBC report also recorded that "It [the ceasefire] is being successfully monitored by a mixture of international staff and Sudanese soldiers from the two sides who were until recently fighting each other." [14k] (p1) In the same month, IRIN reported "Relations between Sudanese government forces and the rebel Sudan People's Liberation Movement/Army (SPLM/A) have improved in the central Nuba Mountains region, the international Joint Military Commission (JMC) monitoring the situation in the region has said." [15u] (p1)

6.143 The Sudan Organisation Against Torture (SOAT) reported that,

"On 27 June 2004, in the early hours of the morning, Khartoum University Student Union (KUSU) was attacked. The attack was carried out by sixty students armed with iron bars and homemade Molotovs. All the attackers are members of the Student Branch of the National Congress Party (the ruling party). The students were allegedly aided by members of the security forces." [23o] (p1)

The July 2004 SOAT report also stated that "The attack followed a Nuba Mountains cultural exhibition held at KUSU, started on Tuesday 22 June 2004." [23o] (p1)

See also Section 6A: Freedom of Assembly and Association/Members and Supporters of Armed Opposition Factions - Central/South Sudan;
Annex C: Black Ethnic Groups Collectively Known as the Nuba

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Women

6.144 Article fifteen of the 1998 Constitution of the Republic of Sudan states "The State shall care for the family, facilitate marriages, develop population policies, provide child care, care for pregnant women, liberate women from injustices in all aspects of life, encourage women's role in the family and public life." [4] (p3)

6.145 However, the US State Department Human Rights Report 2004 (USSD 2004), published on 28 February 2005, recorded that violence and discrimination against women persisted and the means for social redress were ineffectual. [3g] (Section 5) The report added that reliable statistics on the prevalence of violence against women did not exist and that "Many women were reluctant to file formal complaints against such abuse, although it was a legal ground for divorce. The police normally did not intervene in domestic disputes." [3g] (Section 5) And "The Government did not address the problem of violence against women, nor was it discussed publicly." [3g] (Section 5)

6.146 USSD 2004 reported that "Some aspects of the law discriminated against women, including many traditional law practices and certain provisions of Shari'a as interpreted and applied by the Government." [3g] (Section 5) For instance, while a Muslim man could marry a non-Muslim as their children would be considered Muslim, a Muslim woman could not marry a non-Muslim unless he converted to Islam. [3g] (Section 5) USSD 2004 also reported that "Various governmental bodies have decreed that women must dress modestly according to Islamic standards, including wearing a head covering; however, in general, police rarely enforced such decrees. Women often appeared in public wearing trousers or with their heads uncovered. These acts violated regulations against indecency, but the POP [Public Order Police] generally only issued warnings for improper dress." [3g] (Section 5)

See also Section 6A: Freedom of Religion

6.147 USSD 2004 stated that

"Women cannot travel abroad without the permission of their husbands or male guardians; however, this prohibition was not enforced strictly, particularly for NC members. Women generally were not discriminated against in the pursuit of employment; however, women were not allowed to work after 10 p.m., in theory limiting their employment opportunities. Nonetheless, many women did work after 10 p.m., and in official positions such as airport security. Women were accepted in professional roles. More than half the professors at Khartoum University were women." [3a] (p28)

6.148 The Inter-Parliamentary Union (IPU) website published statistics on 'Women in National Parliaments' and, as of 30 November 2004, Sudan was ranked eighty-first

of one hundred and eighty-three countries in terms of the percentage of women participating in the State Assembly, which equated to nine point seven percent. [57a] (p1, 3)

6.149 USSD 2004 recorded that "Prostitution is illegal but widespread. Trafficking in women remained a problem but declined in scope during the year (see Section 5, Trafficking)." [3g] (Section 5) And "The punishment for rape under the Criminal Act varies from 100 lashes to 10 years imprisonment to death. In most cases, convictions were not publicized; however, observers believed that sentences often were less than the maximum provided for by law. Pregnant unmarried women and young girls were convicted during the year of adultery (see Section 1.c.)." [3g] (Section 5) The Sudan Organisation Against Torture (SOAT) released a report in 2003 that detailed conditions in women's prisons in Omdurman, Kousti, Al fashir and Marawi. [23c]

See also Section 5: Prisons and Prison Conditions/Women in Prison

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Darfur and Internally Displaced Women in the North

6.150 Amnesty International (AI) released two reports in July and August 2004 that specifically dealt with the systematic rape of women in Darfur. [11j] [11z] In August 2004 the Integrated Regional Information Networks (IRIN) reported on a three-man UN mission to Darfur led by Dennis McNamara, special adviser on displacement to the UN Emergency Relief Co-ordinator. [15v] IRIN reported that rape was still widespread in Darfur, and that the perpetrators of these and other abuses continued to act with impunity. [15v] IRIN reported McNamara's comments:

"He said the overall response to sexual crimes had been ineffective and perpetrators acted with impunity. 'There has been no serious attempt to prosecute,' said McNamara, whose mission visited IDP camps in four locations in South Darfur - Kass, Kalma, Nyala and Otash - on 25 and 26 August." [15v] (p1)

6.151 USSD 2004 concurred, "Women in Darfur were particularly vulnerable. Credible reports of rape were widespread. There were many reports of women who were raped if they left their IDP camps to gather food or wood." [3g] (Section 5) The report continued

"The Government was slow to acknowledge the severity of the problem, although it eventually appointed a commission to investigate rape allegations. The commission was neither active nor effective in stopping assaults against women. The problem was exacerbated because local authorities often required rape victims to file a police report before they could receive medical treatment, despite an August 21 [2004] decree that waived the requirement. U.N. and NGO sources confirmed that the decree was not regularly observed. Women distrusted the police and rarely filed a police report." [3g] (Section 5)

6.152 USSD 2004 also stated that "Displaced women from the south were vulnerable to harassment, rape, and sexual abuse." [3g] (Section 5) During 2004 and

2005, AI and the Sudan Organisation Against Torture (SOAT) released reports on the abuse of individual women, and of groups of women and girls, in Darfur. [11i] [11z] [11ag] [11al] [23ax] [23be-23bf] [23bk] The UN's February 2005 'Report of the independent expert on the situation of human rights in the Sudan, Emmanuel Akwei Addo' recorded that, according to other UN and human rights groups' reports, thousands of women had been raped during the twenty month conflict in Darfur. [2j] (p14)

See also Section 5: Prisons and Prison Conditions/Women in Prison;
Section 6A: Human Rights/General/The Darfur Conflict and Section 6C: Internally Displaced Persons/Darfur

Southern Sudan, including Sudan People's Liberation Movement/Army (SPLM/A)-Controlled Areas

6.153 An August 2003 IRIN news 'Special report on women in the south' stated that the situation of women had worsened due to under-development, over 20 years of war and inequalities in power structures. [15e] (p1) Additionally, southern women shouldered extra burdens placed upon them due to the large reduction of the male population. [15e] (p1)

6.154 Two of the main problems identified by IRIN's special report were marriage and education. [15e] (p1) IRIN stated that the former, which was often entered into at a young age, was an indicator of the virtually powerless position of women. [15e] (p1) According to the same IRIN report, the bride dowry, paid by the groom to the bride's family, meant marriage was more a material transaction between the two families than a personal bond between husband and wife. [15e] (p1) The report continued by recording that education was out of the reach of most girls as they were expected to work at home and then to marry not long after reaching puberty, where they are expected to continue working. [15e] (p2) The IRIN special report did state that the situation was slowly improving but emphasised that long held societal and familial attitudes would be difficult to overcome. [15e] (p2)

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Female Genital Mutilation (FGM)

6.155 The Sudanese Organisation Against Torture's (SOAT) 1999 report, 'Female Genital Mutilation in Sudan', contained a World Health Organisation (WHO) definition of Female Genital Mutilation (FGM):

"[FGM] Comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs whether for cultural, religious or other non-therapeutic reasons." [23a] (p8)

6.156 SOAT's 1999 report described the three surgical forms of FGM:

- Sunna ('traditional') circumcision involves the removal of the prepuce and the tip of the clitoris.
- Excision or clitorodectomy involves removal of the clitoris and often all the labia minora.

- Infibulation or pharonic circumcision, the most severe of the three, involves excision, the removal of the labia majora and the sealing of the two sides. [23a] (p8-9)

6.157 SOAT's 1999 report recorded that the common word for the FGM operation was 'tahir' meaning purification and the girl enduring the procedure was referred to as the bride, 'al-arus'. [23a] (p14) Families celebrated the operation with great festivity as the day of the operation was considered the most important day in the girl's life. [23a] (p14) Girls often had no choice about undergoing FGM and were stigmatised if they did not submit to the procedure. [23a] (p14) SOAT claimed that "The girls who have not undergone FGM are placed under enormous societal pressure to do so and are ridiculed with taunts of 'ghalfa' (uncircumcised) and 'nigisha' (unclean)." [23a] (p14) SOAT's 1999 report recorded that traditional, rural practitioners typically performed the practice of FGM in improvised, unsanitary conditions; causing severe pain, trauma and risk of infection to the girl who was usually aged between four and seven. [23a] (p15)

6.158 SOAT's 1999 report explained that "Custom and tradition are by far the most frequently cited reason for FGM and defines who is in the group; this is reinforced in Sudan where FGM is carried out as an initiation into adulthood." [23a] (p14) USSD 2004 claimed that "Some families, in a compromise with tradition, adopted the least severe form of FGM, 'sunna,' as an alternative to infibulation." [3g] (Section 5) SOAT's report also stated that FGM had also attained a religious element, despite being practised by peoples of all faiths and having no recognisable root in Islam or any other religion. [23a] (p13) The practice was apparently rooted more in Sudanese culture and tradition than any particular religion and was also considered to be of importance in controlling a woman's sexuality, for a variety of reasons. [23a] (p14-15) SOAT's report stated that "FGM symbolises the woman as obedient, docile, faithful and the upholder of tradition." [23a] (p15)

6.159 A September 2004 IRIN report recorded that, according to the United Nations Population Fund (UNFPA), FGM remained a widespread practice, "But the percentage of women approving female circumcision had declined from 79 percent in 1989/90 to 67 percent in 1999." [15b] (p1) USSD 2004 also stated that FGM was becoming less common as more and more urban, educated families abandoned the practice, and that "Unlike in the previous year, there were no reports that women displaced from South to North imposed FGM on their daughters." [3g] (Section 5)

Government Attitude/Policy to FGM

6.160 SOAT's 1999 report recorded that "Sudan was the first African country to outlaw FGM. It was first condemned by the Sudanese Medical Service as long ago as the 1930's and in 1944 the Sudan Ministry of Health launched an intensive campaign to put an end to the practise [sic] of infibulation." [23a] (p12) The report continued: "Legislation to proscribe FGM was finally enacted in the 1946 Penal Code, which prohibited infibulation, but permitted 'Sunna'. The law was ratified again in 1957, when Sudan became independent." [23a] (p8)

6.161 According to SOAT's 1999 report:

"In 1991 the Sudanese government affirmed its commitment to the eradication of the traditional form of FGM, however, the 1993 Penal Code, does not mention FGM, leaving its status unclear. Originally punishment for carrying out infibulation was a seven years imprisonment and/or a fine, this sentence was reduced to 5 years in 1974, but no one has yet to be found guilty. (sic)" [23a] (p8)

6.162 In September 2003, the Government reaffirmed its commitment to eradicate the practice of FGM and, according to a September 2003 IRIN report, Sudanese newspapers contained articles stating that the national Human Rights Advisory Council had said it would support the drafting of a specific law to criminalise FGM. [15g] According to USSD 2004, "No form of FGM was illegal under the Criminal Code; however, the health law forbade doctors and midwives from performing infibulation. The Government did not support FGM and actively campaigned against it, as did the SPLM in its zone of control. One local NGO worked to eradicate FGM." [3g] (Section 5)

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Children

6.163 Article fourteen of the 1998 Constitution of the Republic of Sudan states "The State shall care for children and youth, protect them from physical and spiritual exploitation and neglect, and shall implement policies for moral care and national education and religious values to ensure good future generations." [4] (p3)

6.164 The US State Department Report on Human Rights Practices for 2004 (USSD 2004), published on 28 February 2005, reported that the violence and discrimination against children remained a problem and that the means for social redress were ineffectual. USSD 2004 also stated that "The Government's commitment to children's rights and welfare was uneven. Education was compulsory through grade eight; however, according to UNICEF [United Nations Children's Fund, which operated in Sudan, working on issues such as the advocacy and promotion of the rights of women and children, health, education and the construction of community centres], approximately half of school age children attended primary school." [3g] (p2, Section 5)

See also Section 5: [Education](#)

6.165 USSD 2004 recorded that "FGM [Female Genital Mutilation] was performed frequently on girls (see Section 5, Women)." [3g] (Section 5)

See also Section 6B: [Women/Female Genital Mutilation \(FGM\)](#)

6.166 USSD 2004 reported that "The Government operated camps for vagrant children called reformation camps. Police typically sent homeless children who had committed crimes to these camps, where they were detained for indefinite periods. Health care and schooling at the camps generally were poor, and basic living conditions often were primitive." [3g] (Section 5) The United Nations' Children's Fund's report entitled 'At a glance: Sudan - The big picture' stated that "The committee noted that street children are effectively criminalized and called for policy

amendments to ensure that such children are seen as victims of their circumstances. It called for the protection of children living on the streets and to ensure their access to education and health services." [68a] (p2)

6.167 USSD 2004 also recorded that "All of the children in the camps, including non Muslims, must study the Koran, and there was pressure on non Muslims to convert to Islam (see Section 2.c.)....There were reports that abducted, homeless, and displaced children were discouraged from speaking languages other than Arabic or practicing religions other than Islam." [3g] (Section 5)

See also Section 5: Prisons and Prison Conditions/Children in Prison;
Section 6A: Freedom of Religion

Children in Darfur

6.168 Save the Children (UK) released a report, 'Child Protection in Darfur' in September 2004. [45] The report detailed the human rights abuses children have been subjected to in Darfur, which included attacks and physical abuse, sexual abuse including rape, and abduction. [45] (p3) The report also stressed that "Because of their age and developmental stage, children suffer disproportionately in conflict and are less able to protect themselves." [45] (p3) During 2004 and 2005, Amnesty International (AI), the Sudan Organisation Against Torture (SOAT) and the World Organisation Against Torture (OMCT) released reports detailing the abuse of children's human rights in Darfur. [11o-11p] [23ac] [23at] [23ax-23ay] [23be-23bf] [23bh] [23bj-23bk] [23bm] [23bs] [42c] [42a]

See also Section 5: Judiciary/North, South and West Darfur and Death Penalty
Section 6A: The Darfur Conflict and Section 6B: Ethnic Groups/Darfur

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Forced Labour

6.169 USSD 2004 reported that "A large number of children suffered abuse, including abduction, enslavement, and forced conscription (see Sections 1.b., 5, Trafficking, and 6.c.)." [3g] (Section 5) The report also stated that "Child labor existed in SPLM/SPLA held areas, particularly in the agricultural sectors. Child labor in such areas was exacerbated by lack of schools, extreme poverty, and the lack of an effective legal minimum age for workers." [3g] (Section 6d) Save the Children (UK)'s September 2004 report recorded that "According to recent assessments, some children in North Darfur have been abducted to drive looted animals." [45] (p5)

Section 6A: Employment/Slavery and Forced Labour and People Trafficking

Forced Conscription in Government-Controlled Areas

6.170 USSD 2004 recorded that "Male teenagers (and, in the South, some girls) in the camps [for vagrant children] often were conscripted into the PDF. Conscripts faced significant hardship and abuse in military service, often serving on the frontline....The Government and government-allied militias forcibly conscripted

young men and boys into the military forces to fight in the civil war. Unlike in the previous year, there were no reports that the South Sudan Unity Movement conscripted boys." [39] (Section 5) The Coalition to Stop the Use of Child Soldiers (CSC) Annual Report for 2004 recorded that "Both the government and government-backed militias recruited child soldiers in the north and the south. Recruitment took place predominantly in Western and Southern Upper Nile, Eastern Equatoria and the Nuba Mountains." [59]

6.171 Save the Children (UK)'s September 2004 report stated that "In North Darfur, there is evidence of children having been recruited by armed groups and forces, and in some areas children have been seen wearing uniforms and bearing arms." [45] (p5) Whilst the report accepted that there was little information concerning the patterns of recruitment it did state that there was evidence of conscription by all parties to the conflict, either to act as combatants or servants. [45] (p5) The CSC's 2004 report concurred, "In Darfur, children as young as 14 were observed serving with government armed forces and police. Children also fought with the government-supported *Janjaweed* militias, which reportedly abducted children as young as nine from their villages." [59]

See also Section 5: [Military Service/Forced Conscription](#)

Forced Conscription in Sudan People's Liberation Movement/Army (SPLM/A)- and Other Armed Opposition-Controlled Areas

6.172 According to USSD 2004, "Although rebel factions forcibly conscripted citizens, including children, the SPLM/A also continued to demobilize child soldiers. The ICRC cooperated with UNICEF to remove child soldiers from the South." [39] (Section 5) The CSC's Annual Report of 2004 recorded that "Reports indicated that the SPLA [and its allied militias] frequently recruited and re-recruited child soldiers. According to children formerly associated with the SPLA, between 400 and 500 boys and girls were being trained in SPLA military camps around Rumbek in February 2004." [59]

6.173 CSC's Report also stated that "In Darfur, all armed groups, including the opposition groups JEM [Justice and Equality Movement] and the SLA/M [Sudan Liberation Army/Movement], were reported to use child soldiers." [59] Save the Children (UK)'s September 2004 report stated that the organisation was concerned that children were being forced or 'volunteering' to join armed groups in Darfur, the latter in an effort to defend themselves or their families. [45] (p5) The report added that "The main targets appear to be boys between the ages of 14-18. Ominously, this age group is less represented than other age groups at displaced sites." [45] (p5)

See also Section 5: [Military Service/Recruitment/Forced Conscription by the Sudan People's Liberation Movement/Army \(SPLM/A\)](#) and [Recruitment/Forced Conscription by Other Armed Opposition Factions](#)

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Homosexuals

6.174 According to a letter dated 23 January 2001 from the British Embassy in Khartoum, "The 1991 Criminal Code, proscribes penetrative sexual intercourse between two men or between a man and a woman anally." [25a] (p1) A first time offence carried a penalty of up to five years imprisonment and fifty lashes; the same again for a second offence and for a third offence the death penalty or a sentence of life imprisonment is applied. [25a] (p1) There are no specific penalties that apply to lesbians and lesbianism is a taboo subject, although the British Embassy understood that some, mainly high-class, women were known to be lesbians. [25a] (p2)

6.175 The International Lesbian and Gay Association's 'World Legal Survey', last updated in April 1999, contained dated and limited information on the situation of gay people in Sudan. [7] A January 2004 article published on the 'Behind the Mask' website stated that "According to unconfirmed reports from a[n unidentified] Sudanese source 2 men were arrested on December 25, 2003 at a café in Omdurman." [46] The same source stated that gay people had to contact each other through the Internet but that this in itself carried risks as gay men have been targeted on the web. [46] The source continued: "Homosexuality is illegal in Sudan, therefore gays remain subject to imprisonment, torture and in some cases the death penalty." [46]

6.176 The United States Department of State human rights report for 2004, published on 28 February 2005, recorded that "Homosexuality is a crime, but no one has been convicted on the charge." [3g] (Section 5) A letter dated 28 February 2005 from the Foreign and Commonwealth Office stated that there had been no change to the law(s) regarding homosexuality since 2001 and that, whilst they were not aware of any specific cases of persons subjected to inhuman, degrading or persecutory treatment because of their sexual orientation, they would not be surprised to find that this was the case. [25c] (p1)

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Refugees and Asylum Seekers

6.177 The US State Department Report on Human Rights Practices for 2004 (USSD 2004), published on 28 February 2005, recorded that

"The law provides for the granting of asylum or refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees or its 1967 Protocol, but the Government has not established a system for providing protection to refugees. In practice, the Government generally provided protection against refoulement, the return of persons to a country where they feared persecution. The Government granted refugee status or asylum; however, there was no standard determination procedure, and there were reports of the forced return of refugees to their countries of origin." [3g] (Section 2d)

6.178 According to the United States Committee for Refugees and Immigrants (USCRI)'s World Report 2004, "More than 285,000 refugees from other countries lived in Sudan at year's end, including some 270,000 from Eritrea, 8,000 from Uganda, and about 2,000 from Ethiopia. An additional 10,000 Ethiopians lived in

Sudan in refugee-like circumstances although they lacked official refugee status." [24c] (p1) The USCRI's report recorded that the Eritrean refugees generally lived in northeastern Sudan, as well as in urban areas such as Khartoum, the capital, Kassala, Gedaref, and Port Sudan, whilst the Ugandan refugees lived in south Sudan or also in Khartoum. [24c] (p2)

6.179 USSD 2004 also stated that "The Government cooperated with the UNHCR and other humanitarian assistance organizations in assisting refugees and asylum seekers and accorded refugees generally good treatment." [3g] (Section 2d) However, "There were [also] reports that government officials mistreated refugees, including through beatings and arbitrary arrests. Refugees could not become resident aliens or citizens, regardless of their length of stay." [3g] (Section 2d) USSD 2004 reported that "Unlike in the previous year [2003], there were no reports of the SPLA forcibly recruiting refugees in northern Uganda." [3g] (Section 1f)

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6.C HUMAN RIGHTS: OTHER ISSUES

Lord's Resistance Army (LRA)

6.180 The US State Department Report on Human Rights Practices for 2004 (USSD 2004), published on 28 February 2005, recorded that "During the past 19 years, the Lord's Resistance Army (LRA) kidnapped more than 20,000 Ugandan children, took them back to the southern part of Sudan, and forced them to become sex slaves, pack animals, or soldiers. Many of them have been killed." [3g] (Section 5) According to the US State Department's June 2004 Report on Trafficking, "The Lord's Resistance Army (LRA), a Ugandan rebel group, has conscripted many Sudanese children to serve as soldiers; 850 of them had been repatriated by December 2003." [3c] (p78)

6.181 USSD 2004 reported that "The Ugandan Lords Resistance Army (LRA) kidnapped children in Uganda and brought them into the southern part of the country (see Section 5). [3g] (Section 1c) The report also stated that "Although Ugandan military operations significantly reduced LRA numbers, the LRA continued to operate in the South and to hold child abductees." [3g] (Section 5) According to reports by the BBC and the UN Integrated Regional Information Networks (IRIN), attacks by members of the LRA in Sudan continued during 2004. [14q] [14p] [14ak] [15af] [15ae] [15ad] [15ac] [15ab]

6.182 The USSD Report on Trafficking stated that the Sudanese Government's agreement to cease its support of the LRA, and to allow the Ugandan Army entry to south Sudan to pursue the LRA was renewed in 2003. [3c] (p78) A February 2005 International Crisis Group (ICG) Policy Briefing entitled Peace in Nother Uganda: Decisive Weeks Ahead recorded that "Under pressure, the Sudan government has -- for now at least -- cut most of its links with the LRA, which for years it supplied with arms, food and sanctuary." [63c] (p3) USSD 2004 recorded that "The Government permitted the Ugandan army access to the South to pursue the LRA [during 2004]." [3g] (Section 5)

6.183 The Institute for Security Studies' (ISS) June 2004 report 'Insecurity in South Sudan: A threat to the IGAD Peace Process' recorded that the Government claimed

in September 2002 to have ended its support for the LRA, "But since then a large number of reports from victims and their supporters in northern Uganda, together with the SPLM/A [Sudan People's Liberation Movement/Army], have held that the Sudanese armed forces never ended their relations with the LRA." [65a] (p8) The ICG's February 2005 Policy Briefing also stated that it had information that the Sudanese government continued to provide support for the LRA. [63c] (p3) Even if this was not the case, the ICG expressed concern that Sudanese military intelligence officers might resume their support to the LRA as "There are elements in the Khartoum government that remain interested in keeping the organisation alive as a tool precisely for the purpose of destabilising the South." [63c] (p5)

6.184 Following the signing of the peace agreement between the SPLM/A and the Government of Sudan on 9 January 2005, IRIN reported that John Garang, the leader of the former rebel movement had said that the semi-autonomous government of south Sudan wished to help end the LRA's rebellion in Uganda. [151] (p1) Garang also stated that the SPLM/A was prepared to fight against LRA forces found within their territory. [151] (p1) The ICG's February 2005 Policy Briefing recorded that "There is a new possibility for enhanced economic and political co-operation between at least the SPLM-dominated southern Sudan and Uganda." [63c] (p2)

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Treatment of Non-Governmental Organisations (NGOs)

6.185 According to the US State Department Human Rights Report for 2004 (USSD 2004), published on 28 February 2005, "Cooperation with U.N.-sponsored relief operations was often inadequate, although there was some improvement. The Government initially hindered NGO access and ability to supply needed food and other resources. After a sustained campaign of international pressure, the Government improved humanitarian access considerably in all regions, particularly Darfur." [3g] (Section 1g)

Sudanese Human Rights Groups and Humanitarian Organisations

6.186 USSD 2004 recorded that the Government was generally uncooperative with and unresponsive to domestic human rights groups and that "Various local human rights groups were active in the country, but they suffered from occasional government harassment." [3g] (Section 4) USSD 2004 stated that, unlike in 2003, there were no reports of NGO offices being occupied by Government forces, and that the arrest and detention of members of nongovernmental organizations (NGOs) and civil society groups were less frequent [in 2004]. [3g] (Section 1d)

6.187 The International Federation for Human Rights (FIDH) and the Sudan Organisation Against Torture's (SOAT) May 2004 joint report, 'Sudan: One step forward, many steps back', stated that "The period covered by this report [March 2003 to March 2004] had seen a relative period of stability in Sudan for human rights defenders, lawyers and civil society groups; they have been able to operate more openly in the public sphere and are rapidly expanding their activities." [22] (p23, 27) The report continued "However, there remains some level of harassment and targeting of these groups that are of serious concern." [22] (p23)

6.188 The report went on to list six separate arrests that had occurred between March 2003 and March 2004, and described the treatment experienced by human rights defenders in Sudan:

"Typical methods of harassment include monitoring by security and intelligence apparatus, arbitrary arrest, incommunicado detention, daily reporting to the security services offices and breaking up or cancelling meetings and conferences, especially those that are related to Darfur or/and the peace process." [22] (p23)

6.189 The International Commission of Jurists (ICJ) reported the arrest and detention of Human Rights lawyers between the months of March and June 2004. [55a-55c] In Urgent Actions and Press Releases produced by AI between February and October 2004, and in January 2005, the organisation reported on the detention and arrest of human rights defenders all of which involved persons from Darfur, or who worked in or in connection with the human rights abuses occurring there. [11f] [11g] [11j] [11k] [11m] [11v] [11ad] [11af] [11ai] [11u] A December 2004 AI report, 'Sudan: No one to complain to: No respite for the victims, impunity for the perpetrators', stated that

"Amnesty International has long documented the arbitrary arrests, prolonged detentions without charge or trial and harassment of certain lawyers and human rights activists by the Sudanese government. The extent of these practices indicates that they are the result of deliberate government policy, which does not only violate the fundamental rights of those engaged in legitimate human rights work, but also contributes to intimidate victims further." [11u] (p9)

See also Section 5: [Judiciary](#)

6.190 The Sudan Organisation Against Torture (SOAT) also reported on the continued detention of human rights defenders, largely in connection with Darfur, between May and August 2004, and in January 2005. [23h] [23i] [23m] [23r] [23z] [23aq] [23ai] Both SOAT and AI reported on the arrest of Dr Mudawi Ibrahim Adam, the Chair of the Sudan Social Development Organisation (SUDO) in January 2005. [11i] [11f] [23aq] [23ai] [11an] Dr Adam had been previously arrested in December 2003 and later charged with 'crimes against the state', although the charges were dropped in August 2004. [11i] [11f] [11an] [23aq] [23ai]

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International Human Rights Groups and Humanitarian Organisations

6.191 USSD 2004 recorded that "Foreign NGO staffs had major problems obtaining entry visas as well as work or travel permits for Darfur." [3g] (Section 4) The report continued:

"Events in Darfur brought heightened levels of scrutiny from international NGOs, which the Government often resisted, although it did allow a number of human rights groups to visit the country. The Government initially made it very difficult for NGOs to operate in Darfur by denying visas, holding up the

clearance of equipment and supplies at customs, denying permission to travel within the country, and harassing the humanitarian community, although visa issuance and access for humanitarian workers improved somewhat later in the year [2004].” [3g] (Section 4)

6.192 However, the UN Secretary General’s February 2005 report recorded that “December and January saw increasing harassment of international nongovernmental organizations (NGOs) by local authorities, particularly in Southern Darfur. In a worrying sign that earlier progress is being rolled back, systematic arrests, false and hostile accusations through national media outlets and outright attacks were combined with renewed restrictions on travel permits and visa applications.” [2e] (p6)

6.193 On 29 November 2004, the British Broadcasting Corporation (BBC) reported that “Sudan has reversed its decision to expel two senior international aid workers it claims have made political statements about the Darfur crisis. The country heads of British charities Oxfam and Save the Children were earlier told to leave within 48 hours.” [14an] USSD 2004 recorded that Amnesty International (AI), Human Rights Watch (HRW) and the president of the International Committee of the Red Cross (ICRC) visited the Sudan in 2004, whilst AI and HRW were reportedly able to travel throughout the country. The report recorded that “The U.N. also sent a number of different teams to the country to investigate the human rights situation and events in Darfur.” [3g] (Section 4)

6.194 USSD 2004, the British Broadcasting Corporation (BBC) and the UN’s Integrated Regional Information Networks reported on the continuing insecurity and deliberate attacks international aid organisations’ workers faced in Darfur during 2004 and 2005. [3g] [14h-14j] [14an-14ao] [15r-15t] [15ap] [15as] [15av] [15bc] [15bh] The UN SG’s February 2005 report on the situation in Darfur recorded that

“The last six months have seen a substantial increase in lawlessness, in particular banditry and abduction, which have dramatically increased since October [2004]. This not only threatens the people of Darfur directly, but also interrupts the seasonal movement of livestock and impairs the delivery of vital humanitarian aid by attacks on transporters, looting, closure of roads and even attacks against humanitarian workers.” [2e] (p3)

Areas Controlled by the Sudan People’s Liberation Movement/Army and Other Armed Opposition Factions

6.195 According to USSD 2004, “NGO workers who have worked in government held areas encountered problems receiving permission to work or travel in insurgent held areas.” [3g] (Section 2d) USSD also recorded that “Insurgent movements in the South also required foreign NGO personnel to obtain permission before traveling to areas that they controlled; however, they generally granted such permission.” [3g] (Section 2d) And that “[NGO] Access in the South continued to improve as the cessation of hostilities continued, although there were still some problems, notably in Southern Blue Nile.” [3g] (Section 4) UN SG’s February 2005 report recorded that “Rebel groups have also detained and harassed humanitarian workers and confiscated humanitarian assets, such as vehicles and water drills.” [2e] (p6)

6.196 UN SG stated that "Humanitarian access on the ground has expanded steadily over the last six months, with assessment and delivery activities increasingly reaching out to more isolated areas. However, insecurity replaced official restrictions as the main obstacle to humanitarian access since about October 2004 and attacks by the rebel movements have been further impeding humanitarian access since about November 2004." [2e] (p5) USSD 2004 recorded that members of armed opposition groups in Sudan have been responsible for the killing of NGO workers. [3g] (p2) USSD 2004, the British Broadcasting Corporation (BBC) and the UN's Integrated Regional Information Networks reported on the continuing insecurity and deliberate attacks international aid organisations' workers faced in Darfur during 2004 and 2005. [3g] [14h-14j] [14an-14ao] [15r-15t] [15ap] [15as] [15av] [15bc] [15bh]

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Internally Displaced Persons (IDPs)

6.197 The Norwegian Refugee Council's Global IDP Project published its latest detailed analysis of the IDP situation in Sudan entitled Profile of Internal Displacement: Sudan on 19 May 2004. [43b] According to the Summary of the Global IDP Project's May 2004 Profile and the US State Department Human Rights Report 2004, published on 28 February 2004 (USSD 2005), over four million Sudanese persons were estimated to be displaced in a country of approximately 38 million persons. [43b] (p8) [3g] (p1)

6.198 Whilst recognising that not all internal movement had been a result of the various conflicts - for instance, traditional nomadic patterns and movement relating to people searching for emergency assistance due to sustained drought and other natural calamities occurred - the Global IDP Project reported that "Direct attacks on civilians, often with the intention of displacing them, is the main reason forcing people to flee." [43b] (p8)

6.199 The Profile also stated that "Although the government has officially undertaken to ensure the safety and protection of IDPs, displaced people all over the country continue to be exposed to serious violations of human rights and the laws of war, including those IDPs who have already returned in areas of Western Upper Nile and Abyei." [43b] (p11) The World Organisation Against Torture (OMCT) reported on alleged cases of government forces inflicting human rights abuses against IDPs living in Kalma camp, including detention and torture, during July and August 2004. [42j, 42j]

6.200 Regional IDP figures, which were estimated by the Global IDP Project and the USSD 2004 from available information, were:

Region/Area	Number of IDPs
Khartoum State	1.8 - 2 million
SPLM/A territories	1.4 million
Southern areas under governmental control	300,000
Darfur	800,000 - 1.5 million +
Eastern and Central 'transitional zone'	500,000

Living in camps	700,000
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[43b] (p8, 10, 54, 55) [3g] (p1, Section 2d)

6.201 According to the Global IDP Project, IDP policy was drafted during 2002 in SPLM/A-controlled areas with the facilitation of the United Nations (UN) and Brookings-SAIS (School of Advanced International Studies). [43b] (p12)

South, Central and East Sudan

6.202 In connection with the north-south conflict, the International Committee of the Red Cross (ICRC) 2004 stated that "An estimated four million people were still displaced and tens of thousands remained separated from members of their families [in 2003]." [58b] (p95) According to the Global IDP Project's May 2004 Profile Summary "Despite signs of hope at the negotiating table, the reality on the ground has not improved for millions of IDPs, many of whom face continued insecurity and hunger." [43b] (p8) Global IDP Project's May 2004 Profile Summary stated that "Persisting conflicts in other parts of Sudan have been nearly eclipsed by the peace negotiations and the Darfur crisis, which together have attracted most of the international attention." [43b] (p11) In April 2004 IRIN reported that a regional analyst had stated that up to 75,000 people were thought to have been displaced by conflict in the nearby Shilluk kingdom, which pitted government-backed Nuer and Shilluk militias against the Sudan People's Liberation Movement/Army (SPLM/A). [15o] (p1)

6.203 The January 2005 issue of the Africa Research Bulletin reported that there are more than one million Darfurians living in east Sudan, having migrated there to find work. [51] (16057A)

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Darfur

6.204 The International Committee of the Red Cross' (ICRC) Annual Report 2004 concurred: "Hundreds of thousands of people were displaced and tens of thousands fled across the border to Chad. From mid-November, government restrictions and insecurity effectively blocked humanitarian organizations' access to the conflict-affected areas." [58b] (p95) Global IDP's May 2004 Profile Summary reported that "IDPs living in camps remain exposed to attacks and rape. Despite dire humanitarian conditions, IDPs in some camps have requested agencies not to deliver food, fearing that such deliveries could cause assaults by militias." [43b] (p10) The UN Secretary General reported in February 2005 that "As at 1 November [2004], the number of conflict affected persons, including internally displaced persons, host communities and others in need of relief, had risen to 2.3 million, more than one third of the estimated pre-conflict population in Darfur of 6 million." [2e] (p6) USSD 2004 recorded the insecurity IDPs in Darfur continued to face during 2004:

"There were frequent reports of abuses committed against IDPs, including rapes, beatings, and attempts by the Government to forcibly return persons to their homes. The Government forcibly emptied some IDP camps; for example, on November 2 [2004], the Government closed two camps (Al Jeer and Otash), using tear gas to drive IDPs out. The Government stated that it merely was

moving IDPs to newer, better camps. There also were numerous credible reports that government troops harassed IDPs or denied persons access to camps." [3g] (Section 2d)

6.205 Human rights groups, such as Amnesty International (AI) and the Sudan Organisation Against Torture, recorded that attacks against groups of IDPs occurred in the region during 2004 and 2005. [11ah] [11d] [23g] [23am-23an] [23be] [23bj-23bk] [23bo] [23b] USSD 2004 also stated that "Women in Darfur were particularly vulnerable. Credible reports of rape were widespread. There were many reports of women who were raped if they left their IDP camps to gather food or wood. The Government was slow to acknowledge the severity of the problem, although it eventually appointed a commission to investigate rape allegations. The commission was neither active nor effective in stopping assaults against women." [3g] (Section 5) IRIN reported, on 3 November 2004, that Sudanese forces had been forcibly relocating IDPs in the region for weeks, apparently in an attempt to intimidate the IDPs, and contrary to a Government agreement with the United Nations. [15ba]

See also Section 6A: The Darfur Conflict; Section 6B: Ethnic Groups/Darfur and Women/Darfur and Internally Displaced Women in the North

6.206 The Global IDP Profile recorded in May 2004 that "Because of the ongoing fighting and restrictions by the authorities on humanitarian access to the region [Darfur], the majority of IDPs have not received any assistance." [43b] (p9) The Profile continued:

"Most IDPs have lost all their possessions and means of survival, and thus are completely dependent on humanitarian assistance. While some displaced have received help from local communities, many have been hiding in isolated areas; others camp at overcrowded open sites without adequate shelter, water or sanitation, and a high risk of spread of diseases." [43b] (p9)

6.207 Humanitarian access was improved by greater government co-operation, prompted by the international attention the crisis received but, as reported by USSD 2004, the British Broadcasting Corporation (BBC) and IRIN, the provision of humanitarian aid was still subject to frequent disruptions by government forces, rebel groups and the continuing insecurity in the region during 2004. [3g] [14h-14j] [14an-14ao] [15r-15t] [15ap] [15as] [15av] [15bc-15bd] [15bh] The UN SG's report recorded that "Life for internally displaced persons in the camps is getting worse." [2e] (p7) The BBC, IRIN and Medecins San Frontieres (MSF) all reported on the humanitarian situation, which was still desperate in the last months of 2004. [14ah] [15bd] [26]

See Section 6C: Treatment of Non-Governmental Organisations

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Khartoum

6.208 USSD 2004 stated that "Tens of thousands of persons, largely southerners and westerners displaced by famine and civil war, continued to live in squatter slums ringing Khartoum." [3g] (Section 2d) Global IDP Project's May 2004 Profile quoted the

UNHCR's 2003 assessment of the ethnic mix of IDPs in Khartoum: "The major ethnic groups are the Dinka, Nuba, Missiriya and Fur. The smaller groups include the Shilluk 4.1%, Bari 4%, Firtit 3.2%, Nuer 2.3% and Fonj 2%¹³." [43d] (p166) Concerning the treatment of different types of internally displaced persons, Global IDP's Profile also reported the findings of a June 1997 Amnesty International (AI) report:

"Southerners and Nuba are widely seen as second class citizens and as supporters of 'the enemy', exposing them to discrimination and abuse. Sudanese law reinforces prejudice by differentiating between 'squatters' -- people who arrived in Khartoum before 1984 (mainly because of drought and famine in western Sudan) -- and the 'displaced' -- people who arrived after 1984 (mainly southerners and Nuba fleeing the war). Squatters have the right to settle in Khartoum; displaced people do not. (AI 20 June 1997, 'Sudan: abuse and discrimination')." [43c] (p72)

6.209 Global IDP Project's May 2004 Profile Summary stated that "A survey found that three-quarters of IDPs in Khartoum were unemployed, with 44 percent having received no formal education. Over half of them were under 20 years old (CARE/IOM, 28 February 2003)." [43b] (p11) USSD 2004 reported that "Southern IDPs generally occupied the lowest paying occupations and were subject to economic exploitation in rural and urban industries and activities." [3g] (Section 6e)

6.210 In October 2004 and February 2005, the UN's Integrated Regional Information Networks (IRIN) reported on the worsening conditions for IDP's residing in Khartoum. [15bf] [15bi] The October 2004 report recorded that, in the Khartoum area, the government had demolished thousands of homes in three official camps. The government claimed the demolitions were part of an area-replanning programme. [15bf] (p1) The February 2005 report recorded how the vast majority of those made homeless were unable to afford the plots, or provide the necessary documentation required to purchase a new plot and that, of those that could, six thousand were unable to afford the construction costs of building a new home. [15bi] (p2) IRIN's February 2005 report also outlined how the demolitions had adversely effected the provision of basic services, such as medical clinics, latrines and water points. [15bi] (p3)

Refugee Movement within Neighbouring Countries

6.211 The US Committee for Refugees' (USCR) 'World Refugee Survey 2004: Africa' reported that "At year's end, Sudan, Congo-Kinshasa, Angola, Burundi, and Somalia were the largest sources of uprooted people in Africa, as they were in 2002, accounting for more than 75 percent of all uprooted Africans." [24b] (p3) USCR's 'World Refugee Survey 2004: Sudan' provided a summary of the various causes of the country's massive internal displacement and refugee movement, and reported on the humanitarian and security situation for such persons during 2003. [24c] USSD 2004 recorded that "The largest number [of Sudanese refugees] was in Uganda, with approximately 223,000." And that, at the end of 2004 there were approximately 200,000 refugees from Darfur in Chad. [3g] (Section 2d) A September 2004 IRIN report stated that "The UN refugee agency UNHCR has invited the Chadian government to station 180 policemen in camps for Sudanese refugees in the east of the country in order to maintain order and prevent the camps from being infiltrated by armed combatants, a UNHCR official said on Wednesday." [15bh] (p1)

6.212 The USCR's 'World Refugee Survey 2004: Africa' stated that "In Ethiopia, increased ethnic tensions erupted into violence for the second consecutive year in and around camps hosting Sudanese refugees.... Reprisal attacks [for the killing of eight people] forced several thousand ethnic Anuak Sudanese refugees and ethnic Anuak Ethiopians, who were blamed for the murders, into Sudan. Violence in western Ethiopia has killed at least 100 Sudanese refugees during the past two years." [24b] (p2) According to an April 2004 press release by Genocide Watch, Survivors' Rights International (SRI), and the World Organisation Against Torture (OMCT) killings and other acts of ethnic cleansing were continuing and thousands of refugees continued to flee to Pochalla in Sudan. [42n]

6.213 Although IRIN reported in February 2005 that UNHCR had estimated that 600,000 Sudanese had already returned, including over 200,000 non-registered refugees from neighbouring countries, in the same month it recorded a UNHCR statement that there were thousands of refugees in camps in Uganda who were reluctant to consider repatriation. [15b] (p1) [15b] (p1) The report stated that, among the concerns cited by the refugees were the lack of facilities, their political marginalisation within the opposition and the SPLA, and the security situation. [15b] (p1) Although many Sudanese refugees apparently believed their situation in Uganda as refugees was better than that they would face in Sudan, they were still at risk of attack by the Lord's Resistance Army. [15b] (p1-2)

Returning Refugees and IDPs

6.214 Global IDP Project's May 2004 Profile Summary and the USSD 2004 reported that the return of displaced populations into areas of origin that were severely affected by the war, and lacking basic services, increased due to the improved security in the south. [43b] (p10) [3g] (Section 2d) The ICRC's Annual Report 2003 recorded that "For the first time in years, the ICRC, with permission from the government and SPLM/A, was able to escort a large group of displaced children across front lines and reunite them with their parents." [58b] (p95) The IDP Global Project reported in May 2004 that "Hundreds of thousands of IDPs have already started their journey back home, and in the event of peace the UN estimates that about one million internally displaced people will likely return, along with half a million refugees." [43b] (p10) The Profile continued:

"The challenges of return are overwhelming and local administrations still appear unprepared. In order to reintegrate IDPs, water-points, medical centres, schools and infrastructure will need to be constructed. Massive population movements and multiple displacements are likely to create conflicts over resources. To adjudicate disputes, local conflict-resolution mechanisms will need to be set up." [43b] (p10)

6.215 Between October 2004 and February 2005 IRIN and the BBC reported on the return of refugees and IDPs to south Sudan, including the lack of infrastructure and food insecurity the returnees faced. [15bs-15bu] [15bf] [15bj-15bj] [14ae] [14v] A February 2005 IRIN report recorded a UNHCR estimate that 600,000 Sudanese had already returned, including over 200,000 non-registered refugees from neighbouring countries, possibly as many as 400,000 IDPs and that thousands more were

expected to return in the following months. [15b] (p1) The report stated, "The returnees were, however, arriving in an area lacking basic infrastructure - from roads, schools, clinics and buildings for the local civil authorities, to protection for the returnees." [15b] (p1)

6.216 Another February 2005 IRIN report recorded that the worsening conditions for IDPs in Khartoum may have been a contributing factor to the number of IDPs who have already returned to the south. [15b] (p1) The report stated that "According to OCHA, an estimated 360,000 IDPs had returned to the southern areas during 2004, the majority coming from the Khartoum area. They have returned to places such as Kosti, Bentiu, Juba and Malakal." [15b] (p1) However, IRIN recorded in both October 2004 and February 2005 that it has not always been safe for those returning, citing continuing insecurity in some areas of the south including the threat of harassment, taxation, severe hunger, banditry and sexual abuse, which some IDPs have experienced whilst returning home. [15b] [15b]

6.217 The UN SG's February 2004 report recorded that, in Darfur,

"Since the Management and Coordination Mechanism [concerning the voluntary return of internally displaced persons] was established, progress has been made in reaching definitions of appropriateness and voluntariness and establishing standard operating procedures, and these definitions have been practically implemented. However, in November 2004, the Management and Coordination Mechanism ruled relocations conducted in Nyala town, Southern Darfur as 'inappropriate' and 'involuntary'." [2e] (p7)

6.218 Human Rights Watch's (HRW) November 2004 report "If We Return, We Will Be Killed" Consolidation of Ethnic Cleansing in Darfur, Sudan dealt extensively with the subject of forced and voluntary returns and relocation in Darfur. [10a]

See also Section 6A: Freedom of Movement/Returning Sudanese Nationals

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ANNEXES

ANNEX A: CHRONOLOGY OF EVENTS

1989

June - Lt. Gen. Omar Hassan Ahmed al-Bashir assumed power after a bloodless coup. A 15-member Revolutionary Command Council for National Salvation (RCC) was formed. Al-Bashir rapidly dismantled the civilian ruling apparatus. Civilian newspapers were closed, political parties were banned and a state of emergency declared. 30 members of the former government were detained. [1] (p1090)

For further information on history prior to June 1989, refer to Europa Regional Surveys of the World: Africa South of the Sahara 2005, source [1].

1991

August - Late August saw a split in the SPLA. The new faction was favoured by the Nuer people, whilst the Dinka still supported Garang. [1] (p1091)

1992

February - A 300-member transitional National Assembly was created, comprised of members of the RCC, state governors, and army and police representatives, former DUP and UP members and former aides to Nimeri. [1] (p1091)

1993

October - The RCC was disbanded having appointed al-Bashir as President and head of a new civilian administration. [1] (p1091)

1994

February - Sudan was redivided into 26 states instead of nine. The executive and legislative power of the states was expanded. Southern states expected to be exempt from Shari'a law. [1] (p1091)

1995

June - The NDA, including the SPLA, DUP, UP and SCP held a conference in Asmara and announced plans for self-determination once the al-Bashir regime is ousted. [1] (p1092)

1996

March - First legislative and presidential elections since 1989 took place on 6 and 17 March. Opposition groups did not field candidates and al-Bashir returned for further 5-year term. Dr al-Turabi (NIF) elected speaker of the National Assembly. [1] (p1092)

1997

April - The southern factions who had signed the peace charter with the Government in early 1996 finalised and signed the Peace Accord. [1] (p1093)

1998

May - Voting took place between 1 and 20 May in a referendum on the new constitution, results were expected at the end of June. [1] (p1093)

1999

January - The Political Association Act came into effect. The voting age was changed from 18 to 17. [1] (p1093)

November - On 26 November, the Sudanese government and the opposition Umma Party signed a peace accord, which was criticised by the Sudan People's Liberation Army and the National Democratic Alliance. [1] (p1093)

December - On 12 December, President al-Bashir dissolved Parliament and declared a three-month state of emergency, which he said was to preserve the unity of the country. Emergency laws took effect on 13 December with the promise of presidential decrees to follow. [1] (p1093)

2000

January - President Bashir appointed a new government, shortly after reaching agreement with his rival, Islamist Hassan al-Turabi, on proposals to end their power struggle. [1] (p1093)

March - The Umma Party withdrew from the exiled National Democratic Alliance opposition coalition during a meeting of NDA leaders in Asmara. [1] (p1094)

The Government extended the state of emergency from three to twelve months. [1] (p1093)

May - Tensions between Hassan al-Turabi and President al-Bashir increased as al-Turabi was suspended as Secretary General of the National Congress. [1] (p1094)

June - Hassan al-Turabi was removed from the position of Secretary General of the National Congress Party and formed new political party called the Popular National Congress. [1] (p1091)

December - Presidential and Parliamentary Elections took place from 13 to 22 December. Sudan's National Elections Authority (NEA) declared President al-Bashir the winner of the Presidential Election, President al-Bashir extended the state of emergency in Sudan for another year. [1] (p1094)

2001

January - On 3 January, President al-Bashir extended the statement of emergency for a further year. [1] (p1094)

February - On 12 February, President al-Bashir was sworn in as President of Sudan for his second term of office. Hassan al-Turabi, leader of the Popular National Congress Party (PNC) and senior members of the PNC were arrested following allegations that the party was developing links with the SPLA, and advocating the overthrow of the government. [1] (p1094)

September - The United Nations Security Council lifted the diplomatic sanctions that were imposed against Sudan in April 1996. [1] (p1097)

2002

January - Military ceasefire between the SPLA and government forces became effective for six months in the Nuba Mountains. [1] (p1094)

July - The Government and the SPLM/A signed a peace deal after five weeks of talks. The peace deal included agreement on the separation of state and religion as well as self-determination for the southern Sudanese. Opposition political parties cautiously approved of the peace deal but no agreement was reached regarding a ceasefire. [1] (p1095)

August/September - Fighting broke out between the SPLA and government forces in the south. The Government responded by suspending peace talks with the SPLM/A. [1] (p1095)

October - The Government and the SPLM/A sign a MOU agreeing to resume talks and to implement a cessation of hostilities for the duration of the talks. The peace talks resumed. [1] (p1095)

December - Sudan's parliament approved the extension of the state of emergency for another year. [1] (p1094-5)

2003

January - The peace talks between the Government and the SPLM/A resumed in Nairobi. [1] (p1095)

February - In the Darfur States, members of the Fur, Zaghewa and Massaleit tribes, in the form of the SLM/A and the JEM began an armed rebellion to protest against the political and economic marginalisation of the region. [1] (p1096)

September - The Government and the SPLM/A signed an agreement allowing for the integration of troops in some disputed areas. [14g] (p4)

October - The PNC leader, al-Turabi, was released after nearly three years in detention and the ban on his party was lifted. [14g] (p4)

December - The Government and rebels agree to share oil wealth. [14g] (p4)

2004

January - The Army moves to quell rebel uprising in western region of Darfur causing more than 100,000 people to seek refuge in neighbouring Chad. [14g] (p4)

March/April - UN official said pro-government Arab militias were carrying out systematic killings of African villagers in Darfur. [14g] (p4) Army officers and opposition politicians, including Islamist leader Hassan al-Turabi, were arrested over an alleged coup plot. [14g] (p4)

April - The Government and the SLM/A signed a 45-day ceasefire in Darfur State, which didn't hold as clashes continued. [1] (p1096)

May - Sudanese government and SPLM/A signed three key protocols on wealth-sharing and the contested areas of Abyei, the Nuba mountains and southern Blue Nile, which paved the way for a comprehensive peace agreement. [15ah]

July - On 30 July the UN Security Council passed a resolution, which stated that the Council might take measures against Sudan if it does not show progress on achieving the commitments, particularly the pledges to disarm the Janjaweed and restore security to Darfur, it had outlined in a joint communiqué with the UN earlier that month. [2i]

August - On 26 August, it was reported that the Darfur peace talks in the Nigerian capital Abuja were making slow progress. [15w] On 31 August the ceasefire between the Government and the SPLM/A was extended to 30 November 2004. [18a]

September - the UN envoy said Sudan had not met targets for disarming pro-government Darfur militias and must accept outside help to protect civilians whilst the US Secretary of State Colin Powell described the Darfur killings as genocide. [14g]

9 September - The Government arrested 14 members of the Islamist opposition Popular [National] Congress Party (PNC/PC) and claimed it had foiled a coup plot by supporters of the PNC/PC's Islamist leader, Hassan al-Turabi. [14g] [15ak] 27

September - Security is further tightened around the capital, Khartoum with Sudanese security forces setting up roadblocks, searching vehicles and houses and intensifying surveillance. [15ak]

October - 20 October - The AU agreed to boost the number of peacekeepers in Darfur and to send in a civilian police force. The deployment of the armed force, which would number 3,320, was expected in a matter of weeks. [15ak]

November - 9 November - The Sudanese government agreed to end military flights over Darfur and signed a series of breakthrough agreements in the Nigerian city, Abuja, touching on security and humanitarian issues to end 20 months of hostilities with the region's rebels. [15ak]

December - 13 December - Continuing violence in Darfur reported to be derailing efforts to find a political roadmap out of the Darfur crisis, according to delegates at AU-sponsored talks in the Nigerian capital, Abuja. [15ak] 31 December - A permanent ceasefire was signed by the Government of Sudan and the SPLM/A. [15ar]

2005

January - 9 January - The Government of Sudan and the Sudan People's Liberation Movement/Army sign the Comprehensive Peace Agreement to bring an end to Sudan's twenty-one year civil war. [15a] 13 January - It was reported that a third rebel movement, called the National Movement for Reconstruction/Reform and

Development had emerged in Darfur and was successfully negotiating with the Sudanese government. [15aq] 17 January - The Government of Sudan and the National Democratic Alliance signed a preliminary peace agreement in Cairo. [14ad] [15aq] 25 January - The Report of the International Commission of Inquiry (ICI) on Darfur to the United Nations (UN) Secretary-General is released, which concluded that the human rights abuses committed in Darfur do not amount to genocide. [2c] **February** - 23 February - It was reported that the Beja Congress (BC) and the Free Lions Association had merged to form a new group called the Eastern Front (EF). [13]

See also Section 4: [History](#) and Section 6: [Human Rights](#) for information on events effecting the human rights of individuals, groups and the restriction of fundamental freedoms.

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ANNEX B: MAIN POLITICAL ORGANISATIONS

This list should not be viewed as exhaustive.

Alliance of the People's Working Forces

Based in Khartoum. The leader is Gaafar Muhammad [Nimeri](#). The acting Secretary General is Kamal ad-Din Muhammad [Abdullah](#). [1] (p1113)

Baa'th Party

Both the pro-Syrian and pro-Arab (Iraqi) factions are members of the NDA. According to the Danish fact-finding Report of 2001, "The pan-Arab Baa'th Party (BP) is divided into pro-Syrian and pro-Arab [Iraqi] factions, but members of both factions are at risk of attack." [9b] (p18) The Baa'th Party reportedly remained committed to unifying Sudan with either Egypt or Libya, according to [sudan.net](#), as an initial step in the creation of a single nation encompassing all Arabic-speaking countries. [28] (p3) However, the Baa'th Party's ideological reservations about the regimes in those two countries prohibited active political backing for this goal. [28] (p3) According to [sudan.net](#), "The Nimeiri and al-Bashir governments alternately tolerated and persecuted the Baa'th." [28] (p3)

Beja Congress (BC)

Founded - 1958. [47] Secretary General (Internal) - Osman Fagarai, a police General. [3a] (p9)

According to the Beja Cultural and Educational Trust (BECT) website, a meeting of the Beja tribes in Port Sudan took place in October 1958 during which the Beja Congress (BC), as it later became known, was formed. [47] The BC was originally created to draw attention to the political and economic grievances of the Beja people. [47] The 1964 parliamentary elections were the BC's first real political test in which it scored a landslide victory over the rival political parties in the region. [47] The BECT website stated that, following the 1989 coup after which all political parties were dissolved, the BC turned to armed struggle and waged several military confrontations with al-Bashir's regime. [47]

The Sudan Tribune reproduced an August 2004 Reuters report in which "The Beja Congress, which claims to control large parts of the east, say they're still observing a

self-imposed ceasefire and would attack only if provoked." [18b] The report stated that the BC's ceasefire has been in effect since November 2003, as the rebels await the final result of the north-south peace talks. [18b]

The Beja Congress refused to attend the January 2005 Government of Sudan-National Democratic Alliance (NDA) peace talks in Cairo that resulted in a preliminary peace agreement between the two parties. [15ag] [14ad] In January 2005, leading members of the Beja tribe presented a list of demands to the Government authorities in Port Sudan, an action followed by the demonstration of thousands of Beja. [3g] [14z] [61f] [11c] [11e] [15be] [23ak-23al] [23bx] Agence France Presse reported in February 2005, that the Beja Congress and the Free Lions, also a member of the NDA, had merged to become the Eastern Front. [13] The same report stated that the two groups had withdrawn from the National Democratic Alliance in 2004. [13] However, the Sudan Tribune published material from BBC Monitoring earlier the same month that contained interviews with the leaders of the two groups, in which it was not clear whether a full split had occurred, or if such a split was permanent. [12]

See also Section 6A: Freedom of Assembly and Association/Members and Supporters of Armed Opposition Groups - East Sudan; Section 6B: Ethnic Groups/Beja; Annex B: National Democratic Alliance and Annex C: Non-Arab Ethnic Groups Collectively known as the Beja

Democratic Unionist Party (DUP/DUP-Mirghani)

Based in Khartoum, leadership in exile. Leader - Mohammad Osman (Uthman) al-Mirghani. Conservative in political outlook. DUP is one of the founder members of the National Democratic Alliance (NDA) opposition umbrella group. [1] (p1113)

The DUP was formed in 1968 through the merger of two long-established parties, the People's Democratic Party (PDP) and the National Unionist Party (NUP); it is a largely secularist Islamic centre party and is supported primarily by the Khatmiya Islamic order. [8] (p440) [1] (p1089) 'Political Parties of the World' stated that "After the 1989 military coup, the DUP leader, Osman al-Mirghani, went into exile and aligned the DUP with the National Democratic Alliance (NDA), of which he became chairman in 1995." [8] (p440)

According to the Report of the 2001 Danish fact-finding mission, the DUP is split into a number of small groups but there are two main factions, Hindi and Mirghani. [9b] (p17)

Democratic Unionist Party (DUP/DUP-Hindi) - (registered) [49a]

Leader - Siddiq al-Hindi. Splinter group from Mirghani's DUP, pro-Government and not a member of the NDA. [9b] (p17)

Siddiq al-Hindi returned to Sudan in 1997 to establish a faction of the DUP, sometimes know as the 'DUP General Secretariat' with himself as chairman. [8] (p440)

Free Sudanese National Party (FSNP)

Based in Khartoum. Chairman - Philip Abbas Ghabbush. [1] (p1113)

Independent Democrats

Based in Khartoum. Leader - As-Samawitt Husayn Osman Mansur. [1] (p1113)

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Islamic-Christian Solidarity

Based in Khartoum. Founder - Hatim Abdullah az-Zaki Husayn. [1] (p1113)

Islamic Revival Movement

Based in Khartoum. Founder - Siddiq al-Haj as-Siddiq. [1] (p1113)

Islamic Socialist Party

Based in Khartoum. Leader - Salah al-Musbah. [1] (p1113)

Islamic Ummah Party (IUP) - (registered) [49a]

Officially registered as a political party on 13 April 1999. Leader - Wali al-Din al-Hadi al-Mahdi. Despite the similar name, this party is completely separate and independent of the Umma Party led by Sadiq al-Mahdi. The IUP is allied with the Government. [1] (p1113)

Justice and Equality Movement (JEM) [15]

Darfurian-based political movement/rebel group that emerged in 2001. [2c] (p39)
Leader - Dr Khalil Ibrahim, a former state minister. The JEM is allegedly linked to the Popular National Congress (PNC), although Ibrahim has denied this claim. [11f] [2c] (p39)
Split into two factions in May 2004, one led by Ibrahim, the other by Colonel Gibril. [2c] (p39)

The Report of the International Commission of Inquiry (ICI) on Darfur to the United Nations (UN) Secretary-General, January 2005, stated that "The "Black Book" appears to be the main ideological base of the JEM. This manifesto, which appeared in 2001, seeks to prove that there has been a total marginalization of Darfur and other regions of the Sudan, in terms of economic and social development, but also of political influence. It presents facts that aim to show, "the imbalance of power and wealth in Sudan". It was meant to be an anatomy of Sudan that revealed the gaps and discrimination in contrast to the positive picture promoted by the Government....The message is designed to appeal to all marginalized Sudanese - whether of Arab, Afro-Arab or African identity, Christian or Muslim. Based on this ideology, the JEM is not only fighting against the marginalization, but also for political change in the country, and has a national agenda directed against the present Government of the Sudan." [2c] (p39)

The Report continued "In the field, it is difficult to make a distinction between JEM and SLM/A, as most often reports on actions by rebels do not distinguish between the two. It has been reported that members of the JEM have yellow turbans. It also appears that while SLM/A is the larger military actor of the two, the JEM is more political and has a limited military capacity, in particular following the reported split of the group and the ensuing emergence of the NMRD (see below)." [2c] (p39)

The ICI also stated that "The Commission obtained very little information about the size and geographic location OF (sic) JEM forces in Darfur. Most of its members

appear to belong to the Zaghawa tribe, and most JEM activity is reported in the northern parts of West Darfur." [2c] (p39) The National Movement for Reconstruction/Reform and Development reportedly emerged from a split in the JEM caused by the dissatisfaction of some JEM members at Hasan al-Turabi's influence over the armed group. [15aq]

See also Section 6A: [The Darfur Conflict](#) and [Darfur Peace Talks](#); Section 6B: [Ethnic Groups/Darfur](#);

See also Annex B: [National Movement for Reconstruction/Reform and Development](#) and Annex C: [Black Ethnic Groups - Darfur](#)

Justice Party

Based in Khartoum. Formed in 2002 by former members of the National Congress, including Dr. Lam [Ako](#). [1] (p1113)

Korbaj (which means "whip" in Arabic)

According to the ICI, a small number of new armed groups have emerged in or near Darfur, but only very little information is available about their political agenda, composition and activities. The ICI stated that this armed group is supposedly composed of members of Arab tribes. [2c] (p40)

Moderate Trend Party

Based in Khartoum. Leader - Mahmud [Jiha](#). [1] (p1113)

National Democratic Party

Based in Khartoum. Formed in 2002 following merger of the Union of Nationalistic Forces, the Communist Party and the National Solidarity Party. [1] (p1113)

National Movement for Reconstruction/Reform and Development (NMRD)

A January 2005 UN Integrated Regional Information Networks (IRIN) report stated that "NMRD leader Nourene Manawi Bartcham, told an IRIN correspondent in N'Djamena at the end of December that his group broke away from JEM in April last year because it disagreed with the influence of Hassan Al Tourabi, an Islamic fundamentalist politician, over the rebel movement." [15aq] The report stated that the NMRD were estimated to have 1,000 fighters and also noted that the JEM believed that NMRD was a stooge of the Government. [15aq] According to the ICI "On 6 June [2004], the NMRD issued a manifesto stating that it was not party to the ceasefire agreement concluded between the Government and the SLM/A and the JEM in April, and that it was going to fight against the Government. The commanders and soldiers of this movement are mainly from the Kobera Zaghawa sub-tribe, a distinct sub-tribe of the Wagi Zaghawa, who are prominent in the SLM/A. The NMRD is particularly active in the Chadian border town of Tine and in the Jabel Moun area in West Darfur state." [2c] (p40)

See also Section 6A: [The Darfur Conflict](#) and [Darfur Peace Talks](#); Section 6B: [Ethnic Groups/Darfur](#);

See also Annex B: [Justice and Equality Movement](#) and Annex C: [Black Ethnic Groups - Darfur](#)

Nile Valley Conference

Based in Khartoum. Founder Lt-Gen. (ret.) Umar Zaruq. [1] (p1113)

Popular Masses' Alliance

Based in Khartoum. Founder - Faysal Muhmad Husayn. [1] (p1113)

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Popular National Congress Party (PNC/PC) [also referred to as the People's National Congress or Popular Congress]

Founded - June 2000. Founder and leader - Hassan al-Turabi [1] (p1113)

According to Europa's Regional Surveys of the World: Africa South of the Sahara 2005, Hassan al-Turabi launched his own political party called the Popular National Congress Party (PNC) in June 2000. [1] (p1094) Al-Turabi was detained on 21 February 2001 and finally released in October 2003. [67a] The BBC reported that al-Turabi and other members of the PNC were arrested in late March/early April 2004. [14c-14e] One report stated that "Sudanese authorities have suspended the party of the main opposition Islamist leader Hassan al-Turabi from political activity, a Sudanese newspaper said. Security forces have also reportedly shut down the party's headquarters." [14c] Seven of those arrested were released in July 2004, according to the BBC. [14m]

In September 2004, the Government of Sudan again accused the PNC of plotting to overthrow the current regime, a claim denied by the party. [source] Mass arrests of party activists in Khartoum and Darfur, including students, and tight security controls in the capital followed. [source]

See also Section 6A: Freedom of Assembly and Association/Members and Supporters of the Popular National Congress;

Annex B: Justice and Equality Movement

Al Shahamah (which in Arabic means "The Nobility Movement")

According to the ICI, a small number of new armed groups have emerged in or near Darfur, but only very little information is available about their political agenda, composition and activities. [2c] (p40) The report stated that this group was first heard of at the end of September 2004, and is reportedly located in Western Kordofan state, which borders Darfur in the East. [2c] (p40) The ICI continued "The group seeks fair development opportunities for the region, a review of the power and wealth sharing agreement signed between the Government and the Sudan People's Liberation Movement (SPLM), and a revision of the agreement on administrative arrangements for the Nuba Mountains and the Southern Blue Nile regions." [2c] (p40)

Socialist Popular Party

Based in Khartoum. Founder - Sayyid Khalifah Idris Habbani. [1] (p1113)

Sudanese Central Movement

Based in Khartoum. Founder - Dr Muhammad Abu al-Qasim Haj Hamad. [1] (p1113)

Sudanese Communist Party

Formed in 1944. Periodical - Al-Midan. [48] Leaders - Mohammad Ibrahim Nogud (NDA faction) and Al Khatim Adlan (non-NDA faction); Fatimah Ibrahim (faction unknown)

According to sudan.net, "The SCP was formed in 1944 and early established a strong support base in universities and labour unions." [28] (p3) The Danish fact-finding Report for 2001 stated that the SCP is split into at least two factions led by Nogud and Al Khatim Adlan. [9b] (p17) The report stated that "Adlan's faction is not a member of the NDA, but both factions of the SCP are banned in Sudan and both are [reportedly] under surveillance by the security forces." [9b] (p17) The SCP had support in both southern and northern Sudan and was opposed to the religiously based parties such as DUP and UP. [28] (p3 [9b] (p17)

The 2001 Danish fact-finding Report stated that "Since the coup in 1989 the SCP has been behind one of the most effective opposition campaigns against the current regime." [9b] (p17) Fatimah Ibrahim returned to Sudan on 17 December 2003 after an absence of over thirteen years, according to an unattributed report published on the Sudanese Media Centre web site the same day. [66]

Sudanese Green Party

Based in Khartoum. Founder - Prof. Zakaraia Bashir Imam. [1] (p1113)

Sudanese Initiative Party

Based in Khartoum. Leader - J'afar Karar. [1] (p1113)

Sudanese Liberation Movement/Army (SLM/A)

Formed in February/March 2003 from a secessionist group known as the Darfur Liberation Front (DLF) by Darfurian groups, particularly the Fur, Zaghawa and Massaleit, to fight against what they perceived to be "marginalisation, racial discrimination and exploitation" in their region. [15b] The movement's stated aim was to create a united democratic Sudan on the foundation of equality and decentralisation of power. [15k] [15]

According to the ICI report of January 2005.

"During the Commission's meetings with the SLM/A leadership in Asmara, Eritrea, it was made clear that the group is divided into a political arm, the "Movement", and a military arm, the "Army". At the outset of the conflict, the structure of the SLM/A remained unclear. In October 2003, the SLM/A reportedly held a conference in North Darfur State during which changes in their structure were discussed and a clear division of work proposed between the military and the political wings. Nowadays, and following the discussion members of the Commission had with SLM/A representatives in Eritrea, it appears that the movement's non-military chairman is Abdel Wahid Mohamad al Nur and that the main military leader and the group's Secretary-General is Minnie Arkawi Minawi. The negotiation team in the peace talks with the Government is headed by Dr. Sherif Harir. Little is known about the detailed structure, or about the actual size of the military arm. According to information obtained by the Commission, the SLM/A has acquired most of its weapons through the looting of Government installations, in particular police stations as

well as army barracks. Other sources claim that foreign support has also played an important role in the build-up of the SLM/A forces. The Commission, however, was not in a position to confirm this." [2c] (p38)

The report continued "The Commission obtained little information about the areas controlled by the SLM/A in Darfur. While certain rural areas are said to be under the group 's control, given its operation as a mobile guerilla group, these areas of control are not fixed. In the beginning of the conflict most of the fighting seems to have taken place in North and northern West Darfur, while it gradually moved southward into South Darfur during the last months of 2004." [2c] (p38)

See also Section 6A: The Darfur Conflict and Darfur Peace Talks; Section 6B: Ethnic Groups/Darfur;

Annex C: Black Ethnic Groups - Darfur

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Sudanese National Movement for the Eradication of Marginalisation

According to the ICI, a small number of new armed groups have emerged in or near Darfur, but only very little information is available about their political agenda, composition and activities. [2c] (p40) The ICI stated that this group emerged in December 2004 when it claimed responsibility for an attack on Ghubeish in Western Kordofan. And that "Little is known of this groups (sic), but some reports claim it is a splinter group from the SLM/A." [2c] (p40)

Sudan People's Liberation Movement /Army (SPLM/A or SPLM-Mainstream)

Formed - 1983. [48] Leader - John Garang. Member organisation of the NDA. Opposition political movement (and its military wing) for southern Sudanese people.

The SPLM/A was created in 1983 when John Garang, who was then a Lieutenant Colonel in the Sudan People's Armed Forces (SPAF), was sent to quell an army rebellion by southern troops in Bor. [28] (p2) Rather than ending the mutiny, Garang encouraged other garrisons to rebel. [28] (p2) According to a February 1999 article by the European Institute for Research on Mediterranean and Euro-Arab Cooperation (MEDEA) the SPLM/A is made up of mostly Christian and animist opposition movements. [5b] The SPLM claims to want self-determination for the southern Sudanese and a secular and democratic Sudanese government but not full independence for southern Sudan from northern Sudan. [5b]

According to the 2000 Danish fact-finding report, any Sudanese national can join the SPLM/A regardless of ethnic origin or religion. [9a] (p18) The report continued: "Most of its membership is drawn from three provinces in southern Sudan: Eastern Equatoria, Western Equatoria and Bahr El Ghazal, but the movement also has members from the Nuba Mountains, the Blue Nile province and to some extent from Darfur." [9a] (p18)

A number of splinter groups emerged from the SPLM/A, such as the South Sudan Independence Movement/Army (SSIM/A), the Sudan People's Defence Force, SPLM-United and the Equatoria Defence Force. [49b] The leaders of these splinter groups have slowly realigned themselves with the SPLM-Mainstream, resulting in these groups splintering into pro- and anti-SPLM/A camps (the latter usually at least

loosely aligned with the Government). [49b] This has resulted in conflict between the different factions, often spilling over into attacks on and between the civilian populace. [65a]

On 31 December 2004 the Government of Sudan and the SPLM/A signed a permanent ceasefire and, on 9 January 2005, the both parties signed the Comprehensive Peace Agreement, bringing to an end the north-south conflict that had raged for twenty years. [51] [14w] [14ab] [14af] [15a] [15bn] [15bp-15bq] John Garang is due to become First Vice President and the SPLM, which will be responsible for a largely autonomous south for the six years prior to a referendum on self-determination, will have a thirty percent share of jobs in the central administration. [51] [14w] [14ab] [14af] [14ag] [15a] [15bn] [15bp]

See also Section 6A: The North-South Conflict, North-South Peace Talks and Members and Supporters of Armed Opposition Groups - Central/South Sudan; Annex B: National Democratic Alliance and Annex C: Black Ethnic Groups (central and southern Sudan)

Sudanese National Party (SNP)

Based in Khartoum. Leader - Hasan al-Mahi - participates in NDA. The SNP is apparently officially recognised owing to its announced support of the constitution and laws regarding party formation. During an All Nuba Conference held in Kauda, Nuba Mountains, the SNP, FSNP and Sudan National Party-Collective Leadership reportedly agreed to dissolve individually and then merge as one new party called the United Sudan National Party (USNP). [31b]

Umma Party (UP/'mainstream UP')

Mahdist party based on the Koran and Islamic traditions based in the Ansar Muslim sect. Chairman - Dr Umar Nurad Ad-Da'im. Leader - Sadiq al-Mahdi.

According to information found on sudan.net "During the last period of parliamentary democracy, the UP was the largest in the country, and its leader [since 1970], Sadiq al Mahdi served as prime minister in all coalition governments between 1986 and 1989." [28] (p1) The party was originally founded in 1945 as the political organisation of the Islamic Ansar movement. [28] (p1) BBC News online reported in November 1999 that the Government had signed a peace accord with the Umma Party. [14a] (p1)

The Danish Fact-Finding Mission of 2001 stated that there was reportedly internal conflict due to the party's conciliation agreement of 1999 and continued co-operation with the Government. [9b] The party was a member of the NDA until, according to Europa 2005, it withdrew its membership in March 2000. [1] (p1113)

Umma Party (registered) [49a]

Breakaway faction of UP-Mainstream, no longer in existence. Leader - Nur Jadayn

The Khartoum Monitor website reported in August 2002 that a faction of the Umma Party, led by Nur Jadayn, which had previously broken away from the main party, had reportedly dissolved. [50] (p1) The dissolved factions former members joined with the ruling National Congress Party while Jadayn claimed that the Umma party was undemocratic and accused it of plotting against his and his fellow members' religion.

[50] (p1) According to an October 2002 article by 'Facts on File World News Digest', al-Bashir reshuffled his cabinet in August 2002 and included seven politicians from the breakaway faction. [44]

South Sudan Defence Force (SSDF)/United Democratic Salvation Front (USDF)

A collection of local militias, created as a loosely unified group by the 1997 Khartoum Agreement, and aligned to the Government of Sudan. The SSDF and the USDF (the former's political wing whose leader is Riek Mashar Teny-Dhurgon), according to an Institute for Security Studies (ISS) April 2004 report, are both internally divided organisations. The ISS report stated that the USDF did not have sufficient control over the SSDF and that the destabilised nature of these groups was a threat to the peace process. [65b]

The same report contains a breakdown of the make-up of the SSDF, as of April 2004, and the various splits within the different militias. [65b]

National Democratic Alliance (NDA)

Formed in 1989. Periodical - Al-Fajr. [48] Asmara-based organisation. Chair - Osman al-Mirghani. Vice Chairman, Leadership Council - General Fathi Ahmed Ali. [16b] (p1) Secretary General - Joseph Okelu. Commander-in-Chief (of the Unified Military Command of the NDA) - John Garang. [16a] (p2) [16c] (p1) The opposition movements that are members of the NDA include:

Beja Congress (BC)*

Baa'th Party (pro-Iraq)* [9b]

Baa'th Party (pro-Syria) [9b]

Democratic Unionist Party (DUP - Mirghani faction and its groupings)* [9b]

Legitimate Command (LC)* - formed from dissident military officers from Sudan

Sudan Alliance Forces (SAF)* - founded in 1994 by Cmmdr-in-Chief Brigadier Abd el-Aziz Khalid Osman

Sudan African National Union (SANU)* [9b]

Sudanese Communist Party (SCP - Nogud faction)* [9b]

Sudan Federal Democratic Alliance (SFDA)* - founded 1994, Chair - Ahmad Dreige, advocates a decentralised, federal structure for Sudan

The Sudanese National Party (SNP)* [9b]

The Sudan People's Democratic Front (SPDF) [9b]

The Sudan People's Liberation Movement (SPLM)* - Leader - Dr.

Mansur Khalid and the SPLM's military wing, **The Sudan People's Liberation Army (SPLA)*** - Leader - Col. John Garang, Secretary-General - James Wani Igga

Free Lions Association* - an armed rebel group led by Mabrouk Mubarak operating in eastern Sudan between Kassala and Port Sudan. [9b]

Sudan Liberation Movement - an armed rebel group based in Darfur but with a national agenda. [15k] [15]

* Indicates members of the Leadership Council of the NDA, along with General Council of the Trade Union Federation, unidentified independent national figures and unidentified representatives of the liberated areas. [16a] (p1)

'Political Parties of the World', published in 2002, stated that "The NDA was formed after the 1989 military coup as an umbrella organization linking a disparate group of opponents of the Bashir regime." [8] (p440) The Alliance's own website stated that the NDA set up its headquarters outside Sudan in Asmara, the capital city of Eritrea and there were also branch offices in Cairo, Nairobi, Washington and London. [16a] (p1)

A February 2005 Agence France Presse report stated that the Beja Congress and the Free Lions had withdrawn from the National Democratic Alliance in 2004, and merged to become the Eastern Front. [13] However, the Sudan Tribune published material from BBC Monitoring earlier the same month that contained interviews with the leaders of the two groups, in which it was not clear whether a full split had occurred, or if such a split was permanent. [12]

In January 2005 the UN's Integrated Regional Information Networks (IRIN) and the British Broadcasting Corporation (BBC) recorded that, after months of talks, the government and the NDA had signed a tentative peace agreement in Cairo supporting the southern peace agreement, the drafting of a new constitution and calling for the formation of a neutral, professional army. [15aq] [14ad] In February 2005, IRIN reported that thirty top officials of the NDA attended a conference funded by the US-based International Republican Institute, which was aimed at strengthening and developing Sudan's opposition parties. [15ay]

See also Section 6A: North-South Peace Talks;
Annex B: Beja Congress

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ANNEX C: MAIN ETHNIC GROUPS

This list should not be viewed as exhaustive.

The US State Department Human Rights Report for 2003 (USSD 2003), published on 25 February 2004, stated that "The estimated population of 27.5 million was a multiethnic mix of more than 500 Arab and African tribes with numerous languages and dialects." [3a] (p30)

See also Annex D: Languages of Sudan

Arab Ethnic Groups (mostly northern Sudan and parts of central and southern Sudan)

Baggara, Batahin, Beni Helba, Budairia, Dar Hamid, Habbania, Hamar, Hamr, Hassania, Hawasma, Hawawir, Jawamia, Kababish, Kawahila, Kinana, Jaalin, Jim, Manasir, Masiria, Musallmia, Rubatab, Rufaa, Ruzaikat, Schaikia, Schukria, Selim, Taischa [40]

According to Encyclopaedia Britannica (EB) 2004, "Those Sudanese who consider

themselves Arabs are, for the most part, racially mixed and many of them are indistinguishable from black southerners." [6b] (p2) EB 2004 also recorded that "Despite a common language and religion, the 'Arabs' do not constitute a cohesive group: they are highly differentiated in their mode of livelihood and comprise city dwellers, village farmers, and pastoral nomads." [6b] (p2)

EB 2004 recorded that:

"The Arabs have historically been divided into tribes based on presumed descent from a common ancestor. The tribal system has largely disintegrated in urban areas and settled villages, however, and retains its strength only among the nomads of the plains who raise cattle, sheep, and camels. Each Arab tribe or cluster of tribes is in turn assigned to a larger tribal grouping, of which the two largest are the Jalayin and the Juhaynah." [6b] (p2-3)

According to EB 2004, the Jalayin consisted of the sedentary agriculturists along the middle Nile, whilst the Juhaynah encompassed the nomadic tribes of western and northeastern Sudan, although some of them have also settled. [6b] (p3) The website of a photographer, F. Jack Jackson, displayed one photograph of a Baggara tribeswoman taken in Sudan prior to the outbreak of the north-south civil war. [73]

Non-Arab Ethnic Groups Collectively known as the Beja (north east Sudan)

Amarar, Beni Amer, Bischarin, Hadendoa [40]

According to Encyclopaedia Britannica (EB) 2004 and the US Library of Congress' Country Study 1991 (LoC 1991) most Beja, pastoral nomads who inhabit the Red Sea Hills and have probably done so since ancient times, speak Arabic as a second language and Arab influence has led the Beja to adopt Islam. [6b] (p3) [35a] (p4) LoC 1991 stated that the Beja adopted genealogies which link them to Arab ancestors, Arabised their names and included Arabic terms in their language. [35a] (p4) However, EB 2004, LoC 1991 and Ethnologue 2004 agreed that the Beja are mostly descended from an indigenous people and have retained their Bedawiye language. [6b] (p3) [35a] (p4) [34] (p4) LoC's 1991 Study stated that "In the 1990s, most Beja belonged to one of four groups--the Bisharin, the Amara, the Hadendawa and the Bani Amar." [35a] (p4)

See also Section 6A: Freedom of Assembly and Association/Members and Supporters of Armed Opposition Groups - East Sudan; Section 6B: Ethnic Groups/Beja;

Annex B: Beja Congress

Black Ethnic Groups - Darfur (north west Sudan)

Dago, Fur, Maba, Massaleit, Tama, Zaghawa [40]

According to the UNHCR's June 2000 Background Paper the Massaleit are black African Muslims who live in Darfur State in the north west of Sudan. [2a] (p22)
According to the Encyclopaedia of Peoples of the World, published in 1993 and

Ethnologue 2004, the Massaleit, whose language is also called Massaleit, totalled around 67,000. [38] (p391) [34] (p14) The US Library of Congress' Country Study of 1991 (LoC 1991) stated that the Massaleit lived on the Sudan-Chad border and were primarily cultivators. [35a] (p5)

Encyclopaedia Britannica (EB) 2004 stated that "Another non-Arabised Muslim people is the Fur; these sedentary agriculturalists live in or near the Marra Mountains in the far west." [6b] (p3) According to the US Library of Congress' 1991 Country Study (LoC 1991), the Fur have resisted Arabisation despite being long surrounded and ruled by Arabs. [35a] (p5) The Encyclopaedia of Peoples of the World and Ethnologue 2004 stated that the Fur tribe, who speak a language also called Fur, numbered an estimated 55,000. [38] (p221) [34] (p2) LoC's 1991 Study noted that "Those [Fur] who acquired a substantial herd of cattle could maintain it only by living like the neighbouring Baqqara Arabs, and those who persisted in this pattern eventually came to be thought of as Baqqara." [35a] (p5)

According to Encyclopaedia Britannica (EB) 2004, the Library of Congress' 1991 Country Study and Ethnologue 2004, on the plateau North of the Fur is the tribe the Arabs call the Zaghawa, who speak Zaghawa and large numbers of whom live in Chad. [6a] [34] (p21) [35a] (p5) [34] (p21) The 1991 LoC Study recorded that the Zaghawa are seminomadic people who call themselves Beri. [35a] (p5) According to Ethnologue 2004, the Zaghawa in Sudan numbered approximately 102,000 in 1982. [34] (p21) The LoC 1991 Study stated that although "Herders of cattle, camels, sheep and goats, the Zaghawa also gained a substantial part of their livelihood by gathering wild grains and other products." [35a] (p5) The Study also stated that whilst they were "Converted to Islam, the Zaghawa nevertheless retain much of their traditional religious orientation." [35a] (p5)

Human Rights Watch (HRW) reproduced a 'Map of Darfur', dated 2004, on its website, which showed the approximate locations of the main tribes in Darfur. [10h] A Justice Africa paper entitled Who are the Darfurians? Arab and African Identities, Violence and External Engagement detailed the historical, political and economic development of the Darfur region and its inhabitants. [52a] A June 2004 Guardian Unlimited (UK) special report made one reference to the practice of scarification in Darfur stating that "Refugee women in Mornay [Murnei] have African ritual facial scarring - three vertical stripes on each cheek - but also wear Muslim charms." [71] (p3)

See also Section 6A: [The Darfur Conflict](#) and [Darfur Peace Talks](#); Section 6B: [Ethnic Groups/Darfur](#);

See also Annex B: [Justice and Equality Movement](#), [National Movement for Restoration/Reform and Development](#) and [Sudan Liberation Movement/Army](#)

Black Ethnic Groups Collectively Known as the Nubians (parts of northern Sudan)

Anag, Barabra, Birked, Danagla, Dilling, Mahas, Midobi [40]

Encyclopaedia Britannica (EB) 2004 stated that "Besides Arabs, there are several Muslim but non-Arab ethnic groups in the north." [6b] (p3) According to EB 2004 and the US Library of Congress' 1991 Country Study (LoC 1991), the most prominent of

these groups, the Nubians, lived along the Nile in the far north and in southern Egypt. [6b] (p3) [35a] (p4) However, LoC also recorded that Nile Nubians are known to have resettled in towns such as Khartoum, Kassala and Port Sudan. [35a] (p4) EB 2004 and LoC's 1991 Study stated that they spoke Nubian and that most also spoke Arabic as a second language. [6b] (p3) [35a] (p4) Languages of the World 1995, stated that approximately two and a half million Sudanese people spoke a Nubian dialect. [39] (p357-358) LoC also stated that "Other, much smaller groups speaking a related language and claiming a link with the Nile Nubians have been given local names, such as the Birqid and the Meidab in Darfur State." [35a] (p4)

See also Section 6B: Ethnic Groups/Nubians

Black Ethnic Groups Collectively Known as the Nuba (central Sudan)

Kadugli, Katla, Koalib, Krongo, Nemyang or Nyima, Tagoi, Temeini [40]

Encyclopaedia Britannica (EB) 2004 stated that "One of the most important non-Muslim peoples in The Sudan is the Nuba, who live in the Nuba Mountains north of the Nilotes." [6b] (p4) According to US Committee for Refugees (USCR) 2000 report, 'The Crisis in Sudan: The Nuba People - Confronting Cultural Liquidation', the Nuba Mountains cover about thirty thousand square miles, approximately a third of which consists of mountains, in Southern Kordofan. [24a] (p2) The USCR's report also recorded that the area contains few significant roads or towns and stretches to Dilling in the north, past Talodi and Buram in the south, Lagowa to the west and beyond Heiban in the east. [24a] (p2) The report further explained that "The numbers of Nuba are unclear." [24a] (p2) It stated that Nuba estimates placed the figure at between approximately 1.2 million and two million, the Government contended that there were 1.1 million Nuba in Sudan. [24a] (p3)

According to a 2000 USCR report and the US Library of Congress' 1991 Country Study (LoC 1991), the Nuba are a complex people of approximately three dozen black ethnic groups with many cultures who speak more than fifty languages, which are collectively known as 'Hill Nubian'. [24a] (p2) [35a] (p9) Examples of the various languages, as provided by Ethnologue 2004, a study by H. Bell entitled 'The Nuba Mountains: Who Spoke What in 1976?' and EB 2004, are Dilling, Koalib, Keiga, Midobi, Birked, Temein, Daju, Otaro and Tira. [34] [41] [6b] (p4) LoC's 1991 Study also stated that "The Kurdufanian languages these people [the Nuba] spoke were not generally mutually intelligible except for those of some adjacent communities." [35a] (p9)

According to USCR's report of 2000, the Nuba practice religious and ethnic tolerance and are a mixture of Christians, Muslims and followers of traditional animist religions. [24a] (p8) LoC's Study considered that, given the Arabisation of the people around them, only a relatively small number of Nuba have adopted Arabic as their home language and even fewer have converted to Islam. [35a] (p9)

According to LoC's 1991 Study, these groups, whilst collectively known as the Nuba, vary considerably in their culture and social organisation. [35a] (p9) The Study recorded that some are patrilineally organised in that they base or trace their descent on the male line; others follow matrilineal patterns, they trace their descent on the female

line and a very few, in southeastern Nuba, have both patri- and matrilineal groupings in the same community. [35a] (p9) LoC 1991 also recorded that Nile Nubians, although seeking to retain a link with their traditional homeland, have resettled in towns such as Khartoum, Kassala and Port Sudan to work as domestic servants and semi-skilled labourers but also as teachers or civil servants. [35a] (p4)

According to the Leni Riefenstahl website, the German director-photographer lived with at least two different Nuba tribes between 1962 and 1977. [72a] The website reproduced a selection of photographs, primarily of the Masakin Qisar Nuba and the Kau Nuba. [72a] [72b] These images provide some background information to the cultural practices of these two tribes, and show various scarification patterns. [72a] [72b] The website of another photographer, F. Jack Jackson, displayed photographs of Nuba tribespeople taken in Sudan prior to the outbreak of the north-south civil war. [73]

See also Section 6A: North-South Peace Talks and Members and Supporters of Armed Opposition Groups - Central/South Sudan; Section 6B: Ethnic Groups/Nuba; Annex B: Sudan People's Liberation Movement/Army

Black Ethnic Groups (central and southern Sudan)

Acholi, Anuak, Azande, Baka, Banda, Bari, Berta or Schankalla, Bongo, Dinka, Karamojo, Koma, Kreisch, Lango, Lotuko, Luo, Madi, Mangbetu, Moru, Mundu, Murle or Molen, Ndogo, Nuer, Shilluk/Schilluk, Sere, Turkana [40]

Encyclopaedia Britannica (EB) 2004 stated that "Chief among the Nilotic peoples are the Dinka, Nuer and Shilluk, who together make up almost one-fifth of The Sudan's total population." [6b] (p4) According to Ethnologue 2004 and Languages of the World, 1995 the languages of these three groups have the same name as their group (e.g. the Dinka speak Dinka). [34] (p6-7, 16, 17) [39] (p358) The US Library of Congress' 1991 Country Study (LoC 1991) recorded that the Dinka made up roughly 40 percent of southern Sudan's population and approximately 10 percent of Sudan's population as a whole; the Nuer were between a quarter to a third the size of the Dinka and the Shilluk about a quarter of the size of the Nuer. [35a] (p6) The LoC's 1991 Study reported that "The Dinka are considered to have as many as twenty-five tribal groups. The Nuer have nine or ten separately named groups." [35a] (p6)

According to EB 2004 "The Dinka are mostly cattle-herders on the plains east of the White Nile, while the Shilluk are more settled farmers on the West Bank of the river. The Nuer live farther south, east of the Mountain Nile." [6b] (p4) LoC's 1991 Study stated that "The Dinka were widely distributed over the northern part of the southern region, particularly Aali an Nil and Bahr al Ghazal." [35a] (p6) The LoC Study also recorded that the Nuer populace was also widely distributed, while the Shilluk, who call themselves Collo, were permanently settled in a limited and unbroken area just north of the point where the Bahr al Jabal becomes the White Nile. [35a] (p6-7)

According to an October 2003 Sudan Mirror website article by Victor Lugala of the New Sudan Council of Churches (NSCC), "Among the Nilotics of Sudan, tribal marks were/are a passage from childhood to adulthood. They were/are also regarded as a badge of bravery or gallantry. In some communities facial scarification ceremonies

are similar to circumcision ceremonies, in which candidates were/are initiated in batches.” [70] (p2) The article described the different scarification practices of a number of tribes from southern Sudan as follows:

“The Bul Nuer (Nilotics) of western Upper Nile, for instance, inundate their faces with braille-like dots that make a person look as if s/he is suffering from an acute case of smallpox. Meanwhile, the Nuer of the east bank of the River Nile mark their faces in six parallel, contour-like lines, similar to the Dinka Agar of Rumbek. The Mundari marks on the other hand, do not follow any uniform pattern, they just cut the face at random, this is not done for aesthetic purposes but to let out ‘dirty’ bloody when a person is sick. The Lotuho serrate the ears of some of their heroic men as a visual mark of bravery and gallantry. The Bantu ethnic group of Western Equatoria has facial marks similar to those of the Danagla people of Northern Sudan. For instance the Baka are known for their one-eleven (111) cuts on both cheeks. Such cuts can be traced to the early Christian kingdoms of Nubia in Dongola and Meroe, where the one-eleven implied three-in-one or the Holy Ghost.” [70] (p1)

However, the article also stated that “With modernization, influence of western cultures, facial scarification is fast disappearing.” [70] (p2)

The Leni Riefenstahl website, dedicated to the work of the German director-photographer, stated that she lived in Sudan between 1962 and 1977. [72a] The website included limited pictures of the Murle, Dinka and Schilluk tribes. [72c] The website of another photographer, F. Jack Jackson, displayed photographs of southern Sudanese tribespeople taken in Sudan prior to the outbreak of the north-south civil war. [73] The Nuer Field Project of Indiana University also contained a large number of photographs and other information about the culture, language and way of life of the Nuer tribespeople. [74]

See also Section 6A: North-South Peace Talks and Members and Supporters of Armed Opposition Groups - Central/South Sudan; Section 6B: Ethnic Groups/Nilotes - Dinka, Nuer and Shilluk
Annex B: Sudan People's Liberation Movement/Army

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ANNEX D: LANGUAGES OF SUDAN

This list should not be viewed as exhaustive. For languages estimated to be spoken in Sudan by less than 20,000 persons, refer to Ethnologue, source [34].

According to Encyclopaedia Britannica (EB) 2004, "There are more than one hundred languages spoken as mother tongues in the Sudan." [6b] (p6) Ethnologue 2004 listed one hundred and forty-two languages for Sudan and stated "Of those, 134 are living languages and 8 are extinct." [34] (p1) The US Library of Congress' (LoC) Country Study dated June 1991 claimed that "The number of languages spoken in Sudan is assumed to be about 400 languages, including languages spoken by an insignificant number of people." [35a] (p2)

See also Annex C: Main Ethnic Groups

Spoken Living Languages

ACHERON

[ACZ] Northern Sudan, Kordofan Province, southern Nuba Hills. *Alternate names:* GARME. *Dialects:* EASTERN ACHERON, WESTERN ACHERON. *Classification:* Niger-Congo, Kordofanian, Kordofanian Proper, Talodi, Talodi Proper, Tocho. [34]

ACHOLI

[ACO] 27,000 in Sudan (1978 SIL). Southern Sudan, Opari District, Acholi Hills. *Alternate names:* ACOLI, ATSCHOLI, SHULI, GANG, LWO, AKOLI, ACOOLI, LOG ACOLI, DOK ACOLI. *Classification:* Nilo-Saharan, Eastern Sudanic, Nilotic, Western, Luo, Southern, Luo-Acholi, Alur-Acholi, Lango-Acholi. [34]

ANUAK

[ANU] 52,000 in Sudan (1991 UBS). Population total both countries 98,000. *Alternate names:* ANYWAK, ANYWA, YAMBO, JAMBO, NURO, ANYUAK, DHO ANYWAA. *Classification:* Nilo-Saharan, Eastern Sudanic, Nilotic, Western, Luo, Northern, Anuak. [34]

AMA

[NYI] 70,000 (1982 SIL). Northern Sudan, Kordofan Province, northwest of Dilling on range of hills of which Jebel Nyimang is a part, and on the Mandal range. *Alternate names:* NYIMANG, INYIMANG, NYIMA, NYIMAN. *Classification:* Nilo-Saharan, Eastern Sudanic, Western, Nyimang. [34]

ARABIC, STANDARD

[ABV] Middle East, North Africa. *Classification:* Afro-Asiatic, Semitic, Central, South, Arabic.

ARABIC, SUDANESE CREOLE

[PGA] 20,000 first language and 44,000 second language speakers in Juba alone (1987 estimate). Southern Sudan, in the towns and many villages all over Equatoria Region, and up into Bahr al Ghazal and Upper Nile regions. Refugees have gone to other countries. *Alternate names:* JUBA ARABIC, SOUTHERN SUDAN ARABIC, PIDGIN ARABIC. *Classification:* Creole, Arabic based. [34]

ARABIC, SUDANESE SPOKEN

[APD] 15,000,000 or more in Sudan, 51% of population (1991). Population total all countries 16,000,000 to 19,000,000. *Alternate names:* KHARTOUM ARABIC. *Dialects:* KHARTOUM, WESTERN SUDANESE, NORTH KORDOFAN ARABIC, JA'ALI, SHUKRI. *Classification:* Afro-Asiatic, Semitic, Central, South, Arabic. [34]

BAKA

[BDH] 25,000 in Sudan (1993 UBS). Population total both countries 26,300. *Alternate names:* TARA BAAKA. *Classification:* Nilo-Saharan, Central Sudanic, West, Bongo-Bagirmi, Bongo-Baka, Baka. [34]

BARI

[BFA] 226,000 in Sudan (1978 SIL), including 26,400 in Kuku, 18,000 in Nyangbara, 3,400 in Nyepu, 25,000 in Pojulu. Population total both countries 286,000 or more. *Alternate names:* BERI. *Dialects:* KUKU, NYANGBARA (NYANGWARA, NYAMBARA), NYEPU (NYEFU, NYEPO, NYPHO, NGYEPU), PÖJULU (PAJULU, FADJULU, FAJELU, MADI), LIGO (LIGGO). *Classification:* Nilo-Saharan, Eastern Sudanic, Nilotic, Eastern, Bari. [34]

BEDAWI

[BEI] 951,000 in Sudan (1982 SIL) including 30,000 Hadendoa, 15,000 Bisharin (1992). Population total all countries 1,148,000. *Alternate names:* BEJA, BEDAWIYE, BEDAUYE, TO-BEDAWIE, BEDJA. *Dialects:* HADENDOA (HADENDOWA, HADENDIWA), HADAREB (HADAAREB), BISHARIN (BISARIAB), BENI-AMIR. *Classification:* Afro-Asiatic, Cushitic, North. [34]

BERTA

[WTI] 22,000. Northern Sudan. *Alternate names:* BARTA, BURTA, 'BENI SHANGUL', WETAWIT. *Dialects:* SHURU, BAKE, UNDU, MAYU, FADASHI. *Classification:* Nilo-Saharan, Berta. [34]

DAGIK

[DEC] (38,000 with Ngile; 1982 SIL). Northern Sudan, Kordofan Province, Nuba Mts., on some outlying hills in Mesakin Hills, Reika village. *Alternate names:* MASAKIN, MASAKIN DAGIG, DAGIG, REIKHA, DENGEBU. *Classification:* Niger-Congo, Kordofanian, Kordofanian Proper, Talodi, Talodi Proper, Ngile-Dengebu. [34]

DAJU, DAR FUR

[DAJ] 70,000 to 90,000 all Daju in Dar Fur (1983 Bender). Northern Sudan, Dar Fur Province, in the Daju Hills 25 miles northeast of Nyala. Also in Geneina District in Dar Masalit. The West Kordofan dialect is in the Daju Hills near Lagowa, with main settlements at Dar el Kabira, Nyukri, and Tamanyik and other hills. *Alternate names:* NYALA-LAGOWA, FININGA, DAGU, DAJU FERNE, BEKE. *Dialects:* NYALA, LAGOWA. *Classification:* Nilo-Saharan, Eastern Sudanic, Western, Daju, Western Daju. [34]

DAJU, DAR SILA

[DAU] Northern Sudan. Nearly all those Daju of Dar Sila who are in Sudan have migrated into Dar Fur and settled there in recent times. *Alternate names:* SILA, SULA, MONGO-SILA, BOKOR, BOKORUGE, BOKORIKE. *Dialects:* MONGO, SILA. *Classification:* Nilo-Saharan, Eastern Sudanic, Western, Daju, Western Daju. [34]

DIDINGA

[DID] 58,000 (1978 SIL). Southern Sudan, Didinga Hills and north of Nagishot. *Alternate names:* 'DI'DINGA, XAROXA, TOI, LANGO. *Classification:* Nilo-Saharan, Eastern Sudanic, Eastern, Surmic, South, Southwest, Didinga-Murle, Didinga-Longarim. [34]

DINKA, NORTHEASTERN

[DIP] 320,000 (1986 UBS) including 7,200 Abialang, 9,000 Dongjol, 2,500 Luac, 16,000 Ngok-Sobat, 20,000 Jok, 13,500 Ageer, 2,000 Rut, 400 Thoi. Southern

Sudan, northeast of the Sudd, along both sides of the White Nile, and along the Sobat River. *Alternate names*: PADANG, WHITE NILE DINKA. *Dialects*: ABILIANG (DINKA IBRAHIM, AKOON, BAWOM, BOWOM), DONGJOL, LUAC (LUAIC), NGOK-SOBAT (NGORK, JOK), AGEER (AGER, AGEIR, ABUYA, BEER, NIEL, NYEL, PALOC, PALOIC), RUT, THOI. *Classification*: Nilo-Saharan, Eastern Sudanic, Nilotic, Western, Dinka-Nuer, Dinka. [34]

DINKA, NORTHWESTERN

[DIW] 80,000 Ruweng (1986). Southern Sudan, north of the Bahr el Ghazal River, and southern Kordofan around Abyei. *Dialects*: ALOR, NGOK-KORDOFAN, PAN ARU, RUWENG. *Classification*: Nilo-Saharan, Eastern Sudanic, Nilotic, Western, Dinka-Nuer, Dinka. [34]

DINKA, SOUTH CENTRAL

[DIB] 250,000 including 2,000 Aker, 2,000 Thany, 22,000 Ciec, 25,000 Gok (Tucker and Bryan). (Total Dinka 2,000,000 or more. Southern Sudan, west of the Nile, south of the Sudd. Aker is southeast of the Agar; Aliap is south of the Bor in a few fishing villages mainly on the east bank of the Nile. Ciec is in Lakes District on the west bank of the Nile. Gok is between the Agar and the Rek in Jur River and Lakes districts. *Alternate names*: AGAR, CENTRAL DINKA. *Dialects*: ALIAP (ALIAB, THANY, AKER), CIEC (CIEM, CIC, CHIECH, KWAC, AJAK, ADOR), GOK (GAUK, COK), AGAR. *Classification*: Nilo-Saharan, Eastern Sudanic, Nilotic, Western, Dinka-Nuer, Dinka. [34]

DINKA, SOUTHEASTERN

[DIN] 250,000 including 21,000 Atoc, 9,000 Ghol, 4,000 Nyarueng, 35,000 Twi, 21,000 Bor Gok (Tucker and Bryan). 500,000 including South Central (Agar) and Southeastern (Bor) (1982 UBS). Southern Sudan, east of the Nile, around Bor and northwards. *Alternate names*: BOR, EASTERN DINKA. *Dialects*: BOR (BOR GOK), ATHOC (ATHOIC, ATOC, BORATHOI, BOR ATHOIC), GHOL, NYARWENG (NYARUENG, NARREWENG), TUIC (TWI). *Classification*: Nilo-Saharan, Eastern Sudanic, Nilotic, Western, Dinka-Nuer, Dinka. [34]

DINKA, SOUTHWESTERN

[DIK] 450,000 (1982 UBS) including 55,000 Abiem, 15,000 Luac, 40,000 Malual, 17,000 Paliet, 35,000 Palioupiny, 50,000 Tuic. Southern Sudan, north and northwest of Wau. *Alternate names*: REK, WESTERN DINKA. *Dialects*: REK (RAIK), ABIEM (AJONG DIT, AJONG THI, AKANY KOK, AKERN JOK, APUOTH, APWOTH, ANEI), AGUOK (AGWOK), APUK, AWAN, LAU, LUAC, MALUAL (MALWAL, ATOKTOU, DULIIT, KOROK, MAKEM, PETH), PALIET (BALIET, AJAK, BUONCWAI, BON SHWAI, BWONCWAI, KONGDER, KONDAIR, THANY BUR, TAINBOUR), PALIOUPINY (PALIOPING, AKJUET, AKWANG, AYAT, CIMEL, GOMJUER), TUIC (TWIC, TWICH, TWIJ, ADHIANG, AMIOL, NYANG, THON). *Classification*: Nilo-Saharan, Eastern Sudanic, Nilotic, Western, Dinka-Nuer, Dinka. [34]

FULFULDE, ADAMAWA

[FUB] 90,000 in Sudan (1982 SIL). Northern Sudan, Blue Nile and Kordofan regions. *Alternate names*: FELLATA. *Dialects*: GOMBE. *Classification*: Niger-Congo, Atlantic-Congo, Atlantic, Northern, Senegambian, Fula-Wolof, Fulani, Eastern. [34]

FUR

[FUR] 500,000 in Sudan (1983 Bender). Population total both countries 502,000. *Alternate names:* FOR, FORA, FORDUNGA, FURAWI, FURAKANG, FORTA, FOROK, KONJARA, KUNGARA, YERGE, ONAGE, KORRA, KADIRGI, KURKA, DALA, LALI. *Classification:* Nilo-Saharan, Fur. [34]

GAAM

[TBI] 40,000 to 80,000 (1997 M.L. Bender). Northern Sudan. The main center is in and around Jebel Tabi, on Tabi Massif and outlying hills. A small community in Khartoum. Not in Ethiopia. *Alternate names:* INGASSANA, INGESSANA, TABI, METABI, MUNTABI, MAMEDJA, MAMIDZA, KAMANIDI. *Classification:* Nilo-Saharan, Eastern Sudanic, Eastern, Eastern Jebel, Gaam. [34]

GUMUZ

[GUK] 40,000 in Sudan. Northern Sudan, around Famaka, Roseires from Ethiopia border possibly as far as Fazoglo. *Alternate names:* MENDEYA, DEBATSA, DEGUBA, DEHENDA, GUMIS, GOMBO, SHANKILLINYA, SHANQILLA. *Dialects:* DISOHA (DESUA), DAKUNZA (DEGOJA, DUKUNZA, GUNZA, GANZA, DUKUNA, DUGUNZA), SAI, SESE (SAYSAY), DEKOKA, DEWIYA, KUKWAYA, GOMBO, JEMHWA, MODEA. *Classification:* Nilo-Saharan, Komuz, Gumuz. [34]

HAUSA

[HUA] 418,000 in Sudan (1993 Johnstone). Northern Sudan. *Classification:* Afro-Asiatic, Chadic, West, A, A.1. [34]

JUMJUM

[JUM] 25,000 to 50,000 (1987 SIL). Northern Upper Nile Province, along Khor Jumjum on Jebels Tunga, Terta, and Wadega. *Alternate names:* BERIN, OLGA, WADEGA. *Classification:* Nilo-Saharan, Eastern Sudanic, Nilotic, Western, Luo, Northern, Maban-Burun, Maban. [34]

KANURI, CENTRAL

[KPH] 195,000 in Sudan (1993 Johnstone). Northern. *Alternate names:* YERWA KANURI, KANOURI, BORNU, BORNOUNS, KANOURY, KOLE, SIRATA, 'BERIBERI'. *Dialects:* DAGARA, KAGA (KAGAMA), SUGURTI, LARE, KWAYAM, NJESKO, KABARI (KUVURI), NGAZAR, GUVJA, MAO, TEMAGERI, FADAWA, MAIDUGURI. *Classification:* Nilo-Saharan, Saharan, Western, Kanuri. [34]

KAKWA

[KEO] 40,000 in Sudan (1978 SIL). Southern Sudan, Yei District, extending into DRC in the west at Aba and in the south around Mahagi. *Alternate names:* BARI KAKWA, KAKUA, KWAKWAK, KAKWAK. *Classification:* Nilo-Saharan, Eastern Sudanic, Nilotic, Eastern, Bari. [34]

KATCHA-KADUGLI-MIRI

[KAT] 74,935 including 48,864 Kadugli and Katcha, 26,071 Miri (1984 R.C. Stevenson). Northern Sudan, Kordofan Province, in the southern hills of the Nuba Hills area. Katcha is in villages a short distance south of Kadugli and southeast of the Miri Hills. Kadugli is also in villages surrounding Kadugli. Miri is in Miri villages south of Kadugli. *Dialects:* KATCHA (TOLUBI, DHOLUBI, TUNA, KACA), KADUGLI

(DAKALLA, TALLA, DHALLA, TOMA MA DALLA, KUDUGLI, MORTA), MIRI, DAMBA. *Classification*: Niger-Congo, Kordofanian, Kadugli, Central. [34]

KENUZI-DONGOLA

[KNC] 180,000 in Sudan (1996). Population total both countries 280,000. *Alternate names*: DONGOLA-KENUZ, NILE NUBIAN, DONGOLAWI. *Dialects*: DONGOLA, KENUZI (KENUZ, KUNUZI). *Classification*: Nilo-Saharan, Eastern Sudanic, Eastern, Nubian, Central, Dongolawi. [34]

KOALIB

[KIB] 44,258 (1984 R.C. Stevenson). Northern Sudan, southern Kordofan Province, Nuba Mountains, around Delami, including Umm Berumbita and Turum (Nguqwurang), south and southwest of Abri around Koalib range (Ngunduna), at and around Nyukwur, also at Umm Heitan and Hadra (Nginyukwur), in villages scattered over the plain around Abri (Ngirere). *Alternate names*: KAWALIB, KOWALIB, NGIRERE, NIRERE, RERE, LGALIGE, ABRI. *Dialects*: NGUQWURANG, NGUNDUNA, NGINYUKWUR, NGIRERE, NGEMERE. *Classification*: Niger-Congo, Kordofanian, Kordofanian Proper, Heiban, West-Central, Central, Rere. [34]

KRONGO

[KGO] 21,688 (1984 R.C. Stevenson). Northern Sudan, Krongo Hills, south of Masakin range and west of Talodi, Kordofan Province. *Alternate names*: KORONGO, KURUNGU, KADUMODI, TABANYA, DIMODONGO. *Dialects*: FAMA-TEIS-KUA. *Classification*: Niger-Congo, Kordofanian, Kadugli, Eastern. [34]

LANGO

[LNO] 20,000 possibly (1987 SIL). Southern Sudan, eastern Equatoria Province, Torit District. *Alternate names*: LANGGO. *Classification*: Nilo-Saharan, Eastern Sudanic, Nilotic, Eastern, Lotuxo-Teso, Lotuxo-Maa, Lotuxo. [34]

LARO

[LRO] 40,000 (1998 local estimate). Northern Sudan, Nuba Hills on the hills of Laro (Alleira) and a few small hills nearby. *Alternate names*: LARU, AALEIRA, YILLARO, NGWULLARO. *Dialects*: TUNDULI, LARO. *Classification*: Niger-Congo, Kordofanian, Kordofanian Proper, Heiban, West-Central, Central, Ebang-Logol, Ebang-Laru. [34]

LOPPIT

[LPX] 50,000 (1995 Scott Randal). Southern Sudan, eastern Equatoria Province, Lopit Hills, northeast of Torit. *Alternate names*: LOPIT, LOPID, LOFIT, LAFITE, LAFIT, LAFIIT. *Classification*: Nilo-Saharan, Eastern Sudanic, Nilotic, Eastern, Lotuxo-Teso, Lotuxo-Maa, Lotuxo. [34]

LUWO

[LWO] 80,000 (1983 census). Southern Sudan, north of Wau toward Aweil, southeast of Wau as far as Tonj. *Alternate names*: LWO, JUR LUO, JUR LWO, JO LWO, DHE LWO, DHE LUWO, GIUR. *Classification*: Nilo-Saharan, Eastern Sudanic, Nilotic, Western, Luo, Northern, Jur. [34]

MABAAN

[MFZ] 25,000 to 50,000 (1987 SIL). On the border of Blue Nile and Upper Nile provinces, between Yabus and Tombak rivers in the north and Khor Daga in the south. Not in Ethiopia. *Alternate names*: MAABAN, MEBAN, SOUTHERN BURUN, GURA, TUNGAN, BARGA, TONKO, ULU. *Classification*: Nilo-Saharan, Eastern Sudanic, Nilotic, Western, Luo, Northern, Maban-Burun, Maban. [34]

MANDARI

[MQU] 35,812 (1952). Southern Sudan, near Bari; 1 division around Tali, the other on both sides of the Nile between Tombe and Mongalla. *Alternate names*: MONDARI, MUNDARI, SHIR, CHIR, KIR. *Classification*: Nilo-Saharan, Eastern Sudanic, Nilotic, Eastern, Bari. [34]

MASSALEIT

[MSA] 145,000 in Sudan. Population total both countries 250,000 (1983 Doornbos and Bender). *Alternate names*: MASALIT, MASSALIT, KAANA MASALA, JWISINCE. *Dialects*: SURBAKHAL. *Classification*: Nilo-Saharan, Maban, Mabang, Masalit. [34]

MIDOB

[MEI] 50,000 (1993 R. Werner). Northern Sudan, Dar Fur Province, Jebel Midob, and settled communities in Omdurman and Gezira Aba. The center is Malha. *Alternate names*: MEIDOB, MIDOBI, TIDDA, TID, TID-N-AAL. *Dialects*: SHELKOTA (SHALKOTA), KAAGEDDI, URRTI (UURTI). *Classification*: Nilo-Saharan, Eastern Sudanic, Eastern, Nubian, Western. [34]

MORO

[MOR] 30,000 (1982 SIL) including 4,100 Abu Leila and Lebu, 460 Umm Dore, 9,000 Umm Gabralla (1977 Voegelin and Voegelin). Northern Sudan, eastern Nuba Mountains, Kordofan Province. *Alternate names*: DHIMORONG. *Dialects*: UMM DOREIN (LOGORBAN), UMM GABRALLA (TOBERELDA), NDERRE, LAIYEN, NUBWA, ULBA, WERRIA. *Classification*: Niger-Congo, Kordofanian, Kordofanian Proper, Heiban, West-Central, Western. [34]

MORU

[MGD] 70,000 (1982 SIL), including 1,200 Agi, 2,500 Andri, 5,000 Kadiro, 9,000 Miza, 400 Wa'di. Southern Sudan, Mundri District, Equatoria Province. *Alternate names*: KALA MORU. *Dialects*: AGI, ANDRI, 'BALI'BA, KADIRO, LAKAMA'DI, MIZA, MORUWA'DI. *Classification*: Nilo-Saharan, Central Sudanic, East, Moru-Madi, Northern. [34]

MÜNDÜ

[MUH] 23,000 in Sudan. Population total both countries 25,800. *Alternate names*: MUNDO, MOUNTOU, MONDU, MONDO. *Dialects*: SHATT. *Classification*: Niger-Congo, Atlantic-Congo, Volta-Congo, North, Adamawa-Ubangi, Ubangi, Sere-Ngbaka-Mba, Ngbaka-Mba, Ngbaka, Eastern, Mundu. [34]

MURLE

[MUR] 60,000 in Sudan (1982 SIL). Population total both countries 60,200. *Alternate*

names: MURELEI, MERULE, MOURLE, MURULE, BEIR, AJIBBA, AGIBA, ADKIBBA. *Classification:* Nilo-Saharan, Eastern Sudanic, Eastern, Surmic, South, Southwest, Didinga-Murle, Murle. [34]

NDOGO

[NDZ] 20,000 (1993). Southern Sudan, Western District along Wau-Deim Zubeir Road between Mboro and Kpango rivers. A few are north of Tembura among the Zande. Not in CAR. *Classification:* Niger-Congo, Atlantic-Congo, Volta-Congo, North, Adamawa-Ubangi, Ubangi, Sere-Ngbaka-Mba, Sere, Sere-Bviri, Ndogo-Sere. [34]

NGILE

[MAS] 38,000 including Dagik (1982 SIL). Northern Sudan, Kordofan Province, Nuba Mountains, in Mesakin Hills on some outlying hills. *Alternate names:* MASAKIN, MESAKIN, DALOKA, TALOKA, DARRA. *Dialects:* AHEIMA (EL AKHEIMAR), DALOKA (TALOKA), MASAKIN GUSAR (MESAKIN QUSAR, MASAKIN BURAM), MASAKIN TUWAL (TIWAL, TOWAL). *Classification:* Niger-Congo, Kordofanian, Kordofanian Proper, Talodi, Talodi Proper, Ngile-Dengebu. [34]

NOBIIN

[FIA] 295,000 in Sudan (1996). Population total both countries 545,000. *Alternate names:* MAHAS-FIADIDJA, MAHAS-FIYADIKKYA, FIADIDJA-MAHAS. *Dialects:* MAHAS (MAHASI, MAHASS), FIYADIKKA (FEDICCA, FADICHA, FADICCA, FADIJA, FIADIDJA). *Classification:* Nilo-Saharan, Eastern Sudanic, Eastern, Nubian, Northern. [34]

NUER

[NUS] 740,000 in Sudan (1982 SIL), including 2,935 Western Jikany, 12,500 Lou, 1,100 Nyuong, 2,500 Thiang, 5,900 Bul, 2,400 Jagai, 6,700 Laak, 4,900 Leik, 1,600 Door, 17,600 Eastern Jikany (1977 Voegelin and Voegelin). Population total both countries 805,000. *Alternate names:* NAATH, NAADH. *Dialects:* DOR (DOOR), EASTERN JIKANY (JIKAIN, JEKAING), ABIGAR, WESTERN JIKANY, CIEN, THOGNAATH (THOK NATH), LOU (LAU), NYUONG, THIANG (BUL, GAWAAR, JAGAI, LAAK, LEIK). *Classification:* Nilo-Saharan, Eastern Sudanic, Nilotic, Western, Dinka-Nuer, Nuer. [34]

OTUHO

[LOT] 135,000 including Dongotono (1998), 2,500 Koriot, 1,000 Lomya (1977 Voegelin and Voegelin). Southern Sudan, Torit District, eastern Equatoria Province, east and southeast of the Luluba and the Lokoya. *Alternate names:* LOTUKO, LOTUHO, LOTUXO, LOTUKA, LATTUKA, LATUKO, LATUKA, LATOOKA, OTUXO, OLOTORIT. *Dialects:* KORIOK, LOGIRI (LOGIR), LOMYA (LOMIA), LORWAMA, LOWUDO (LOUDO, LAUDA), LOGOTOK. *Classification:* Nilo-Saharan, Eastern Sudanic, Nilotic, Eastern, Lotuxo-Teso, Lotuxo-Maa, Lotuxo. [34]

PÄRI

[LKR] 28,000 (1987 SIL). Southern Sudan, Upper Nile Province. *Alternate names:* LOKORO. *Classification:* Nilo-Saharan, Eastern Sudanic, Nilotic, Western, Luo, Northern, Unclassified. [34]

SHILLUK

[SHK] 175,000 (1982 SIL). Southern Sudan, Upper Nile Province, between Nile and Kordofan Province boundary, from Latitude 11 in the north to about 80 miles west of Tonga; also on the east bank of the Nile around the junction of the Nile and Sobat rivers, and for about 20 miles up the Sobat River. *Alternate names*: COLO, DHOCOLO, CHULLA, SHULLA. *Classification*: Nilo-Saharan, Eastern Sudanic, Nilotic, Western, Luo, Northern, Shilluk. [34]

TEGALI

[RAS] 35,738 (1984 R.C. Stevenson). Northern Sudan, Kordofan Province, Nuba Mountains, Tegali Range, Rashad hills and town of Rashad. *Alternate names*: TAGALE, TEGELE, TOGOLE, TEKELE. *Dialects*: RASHAD (KOM, NGAKOM, KOME), TEGALI. *Classification*: Niger-Congo, Kordofanian, Kordofanian Proper, Rashad. [34]

TIRA

[TIR] 40,000 (1982 SIL). Northern Sudan, Nuba Hills in villages extending from near Otoro to the neighborhood of Talodi. *Alternate names*: TIRO, THIRO, LITHIRO. *Dialects*: KINDERMA (KANDERMA), TIRA EL AKHDAR (TIRA DAGIG), TIRA LUMUM (LUMAN), TIRA MANDI. *Classification*: Niger-Congo, Kordofanian, Kordofanian Proper, Heiban, West-Central, Western. [34]

TOPOSA

[TOQ] 100,000 (1984 M. Schroeder). Southern Sudan, along both sides of Singaita and Lokalyen rivers. The southern boundary is 4.30' N, northern 5 N, western 33.22' E, eastern 34 E. Ritual center at Loyooro River. They migrate as far as Moruangipi (34.30 E, 5.10 N), and occasionally farther east into the disputed Ilemi Triangle at the Ethiopian border for seasonal grazing. They have no permanent settlements there. The Jiye live at 5.20 N 33.45 E. *Alternate names*: TAPOSA, TOPOTHA, AKARA, KARE, KUMI. *Dialects*: EASTERN TOPOSA, WESTERN TOPOSA, JIYE. *Classification*: Nilo-Saharan, Eastern Sudanic, Nilotic, Eastern, Lotuxo-Teso, Teso-Turkana, Turkana. [34]

ZAGHEWA

[ZAG] 102,000 in Sudan (1982 SIL). Population total all countries 186,800. *Alternate names*: SOGHAUA, ZEGGAOUA, ZAGAOUA, ZORHAUA, ZAGAWA, ZAHAWA, ZEGHAWA, ZAUGE, BERRI, BERI, BERI-AA, MERIDA, KEBADI, KUYUK. *Classification*: Nilo-Saharan, Saharan, Eastern. [34]

ZANDE

[ZAN] 350,000 in Sudan (1982 SIL). Southern Sudan, DRC primarily, and CAR in an elongated semicircle with Uele River as its base. Some projections south. *Alternate names*: SOGHAUA, ZEGGAOUA, ZAGAOUA, ZORHAUA, ZAGAWA, ZEGHAWA, ZAUGE, BERRI, BERI, BERI-AA, MERIDA, KEBADI, KUYUKI. *Dialects*: DIO, MAKARAKA (ODIO). *Classification*: Niger-Congo, Atlantic-Congo, Volta-Congo, North, Adamawa-Ubangi, Ubangi, Zande, Zande-Nzakara. [34]

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ANNEX E: RELIGIONS OF SUDAN

This list should not be viewed as exhaustive.

USSD RF 2003 reported that "Muslims predominate in the north of the country but there are sizeable Christian communities in northern cities, principally in areas where there are large numbers of internally displaced persons." [3b] (p1) The total number of southerners displaced in the north by the war is estimated at more than 4 million. [3b] (p1)

Islam

The state religion. Sudanese Islam has a strong Sufi element, and is estimated to have more than fifteen million adherents. [1] (p1114) The US State Department Religious Freedom Report for 2003 (USSD RF 2003), published on 18 December 2003, stated that "According to most estimates, between 65 and 75 percent of the population is Muslim and adherents include numerous Arabic and non-Arabic groups." [3b] (p1) Encyclopaedia Britannica (EB 2004) 2004 stated that "It is estimated that more than one-half of the population of The Sudan is Muslim." and that "Ninety percent of these people live in the northern two-thirds of the country." [6n] (p1)

Christianity

Sudan Council of Churches - Chair: Most Reverend Paolino Lukudu Loro (Roman Catholic Archbishop of Juba); General Secretary: Reverend Clement H. Janda. [1] (p1114) EB 2004 estimated that "Christians account for between 4 and 10 percent of the population." [1] (p1088) [6n] (p1) According to USSD RF 2003, "Most Sudanese people in the south adhere to either Christianity or traditional indigenous religions; however there are some Muslim adherents as well, particularly along the historical dividing line between Arabs and Nilotic ethnic groups." [3b] (p1)

Roman Catholic Church

Archbishop of Khartoum: Cardinel Gabriel Zubeir Wako. [1] (p1114)

Archbishop of Juba: Most Reverend Paolino Lukudu Loro. [1] (p1114)

Latin Rite

Sudan comprised two archdioceses and seven dioceses and, as of 31 December 2002, an estimated 4,179,932 or 9.7% of the population were adherents. [1] (p1114)

Sudan Catholic Bishops' Conference - Founded in 1971 by Most Reverend Paolino Lukudu Loro. [1] (p1114)

Maronite Rite

Maronite Church in Sudan - Reverend Father Youseph Neama. [1] (p1114)

Melkite Rite

Patriarchal Vicariate of Egypt and Sudan - General Patriarchal Vicar in Egypt and Sudan: Jules Zerey (Titular Archbishop of damiette); Protosyncellus Most Reverend Paul Antaki (Titular Archbishop of Nubia); Vicar in Sudan: Father George Banna. [1] (p1114)

Syrian Rite

Syrian Church in Sudan - Under the jurisdiction of the Patriarch of Antioch. Protosyncellus: Right Reverend Joseph Hannouche (Bishop of Cairo). [1] (p1114)

Orthodox Churches

Coptic Orthodox Church

Metropolitan of Khartoum, Southern Sudan and Uganda - Right Reverend Anba Danial. [1] (p1114)

Bishop of Atbara, Omdurman and Northern Sudan - Right Reverend Anba Sarabamon. [1] (p1114)

Greek Orthodox Church - Metropolitan of Nubia Archbishop: Dionyssios Hadzivassiliou. [1] (p1114)

According to Europa 2005, "The Ethiopian Orthodox Church is also active." [1] (p1114)

The Anglican Communion

Archbishop in Sudan: Most Reverend Joseph Biringi. [1] (p1114)

The (Episcopal) Church of the Province of the Sudan - Established in 1976, has 24 dioceses and approximately one million adherents. [1] (p1114)

Other Christian Churches

Evangelical Church - Chair: Reverend Radi Elias. Approximately 1,500 members; administers schools, a literature centre and a training centre. [1] (p1114)

Presbyterian Church - Autonomous since 1956; General Secretary: Reverend Thomas Maluit. Approximately, 67,000 members. [1] (p1114)

SIM Sudan - Founded 1937; Director: L. Dick. [1] (p1114)

According to Europa 2005, "The Africa Inland Church, the Sudan Interior Church and the Sudanese Church of Christ are also active." [1] (p1114)

Traditional Animist Religions

Encyclopaedia Britannica (EB 2004) stated that "At least one third of The Sudan's population follow traditional animist religions, particularly in the south and in the Nuba Mountains." EB 2004 also recorded that, "Although these animists share some common elements of religious belief, each ethnic group has its own indigenous religion." [6n] (p1)

See also Freedom of Religion

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ANNEX F: LIST OF SOURCE MATERIAL

[1] Europa Publications

Regional Surveys of the World: Africa South of the Sahara 2005. (51st Edition)

[2] United Nations www.un.org/

a. High Commissioner for Refugees (UNHCR): Background Paper on Refugees and Asylum Seekers from the Sudan, July 2000. (10696/00) <http://www.unhcr.ch/cgi-bin/taxis/vtx/publ/openssl.pdf?tbl=RSDCOI&id=3ae6a6530&page=publ> Date accessed 8 October 2004

b. Economic and Social Council: Question of the Violation of Human Rights and Fundamental Freedoms in Any Part of the World - Situation of human rights in the

Sudan, 6 January 2003. (E/CN.4/2003/42)

[http://www.unhchr.ch/Huridocda/Huridoca.nsf/0/898215e39269a2a3c1256cd3004ba3d8/\\$FILE/G0310060.pdf](http://www.unhchr.ch/Huridocda/Huridoca.nsf/0/898215e39269a2a3c1256cd3004ba3d8/$FILE/G0310060.pdf) Date accessed 8 October 2004

c. Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General. 25 January 2005.

http://www.un.org/news/dh/sudan/com_inq_darfur.pdf Date accessed 7 February 2005.

d. A Study Presented To The United Nations Development Program By Nathan J. Brown, Professor Of Political Science And International Affairs, The George Washington University (With The Assistance of Nida Al-Ahmad): Sudan, Introduction, Sources On Arab Judiciaries. August 2001.

www.pogar.org/publications/judiciary/nbrown/index.html Date accessed 30 July 2004.

e. Report of the Secretary-General on the Sudan pursuant to paragraphs 6, 13 and 16 of Security Council resolution 1556 (2004), paragraph 15 of Security Council resolution 1564 (2004) and paragraph 17 of security Council resolution 1574 (2004), 4 February 2005. (S/2005/68) <http://www.un.org/Docs/sc/sgrep05.htm> Date accessed 28 February 2005.

f. Sudan [Map]. May 2004. www.un.org/Depts/Cartographic/map/profile/sudan.pdf Date accessed 4 August 2004

g. Report of the Secretary-General on the Sudan. (S/2004/453). 3 June 2004. <http://www.un.org/Docs/sc/sgrep04.html> Date accessed 28 September 2004.

h. Press briefing on humanitarian crisis in Darfur, Sudan. 2 April 2004.

<http://www.un.org/News/briefings/docs/2004/egelandbrf.DOC.htm> Date accessed 15 October 2004.

i. Sudan must act on Darfur in 30 days or face measures, Security Council warns. 30 July 2004. http://www.un.org/esa/africa/UNNews_Africa/size.htm Date accessed 15 October 2004.

j. Report of Emmanuel Akwei Addo, independent expert on the situation of human rights in the Sudan, 28 February 2005.

http://ap.ohchr.org/documents/alldocs.aspx?doc_id=10720 Date accessed 20 April 2005.

[3] US Department of State www.state.gov/

a. Country Report on Human Rights Practices - 2003: Sudan, published 25 February 2004. <http://www.state.gov/g/drl/rls/hrrpt/2003/27753.htm> Date accessed 8 October 2004

b. Report on International Religious Freedom - 2003: Sudan, published December 2003. <http://www.state.gov/g/drl/rls/irf/2003/23755.htm> Date accessed 8 October 2004

c. Trafficking in Persons Report. June 2004.

<http://www.state.gov/g/tip/rls/tiprpt/2004/33189.htm> Date accessed 8 October 2004

d. US Congress Terms Situation in Darfur "Genocide". 23 July 2004.

<http://usinfo.state.gov/gi/Archive/2004/Jul/26-351639.html> Date accessed 21 October 2004.

e. Documenting Atrocities in Darfur, September 2004.

<http://www.state.gov/g/drl/rls/36028.htm> Date accessed 15 November 2004.

f. International Religious Freedom Report 2004

Released by the Bureau of Democracy, Human Rights, and Labor, 15 September 2004.

<http://www.state.gov/g/drl/rls/irf/2004/35384.htm> Date accessed 15 November 2004.

2005.

g. Country Reports on Human Rights Practices - 2004. Released by the Bureau of Democracy, Human Rights, and Labour 28 February 2005.

<http://www.state.gov/g/drl/rls/hrrpt/2004/41628.htm> Date accessed 28 February 2005.

[4] Sudanese Constitution of June 1998

Via: <http://www.sudan.net/> Date accessed 8 April 2004.

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